

LAWYER

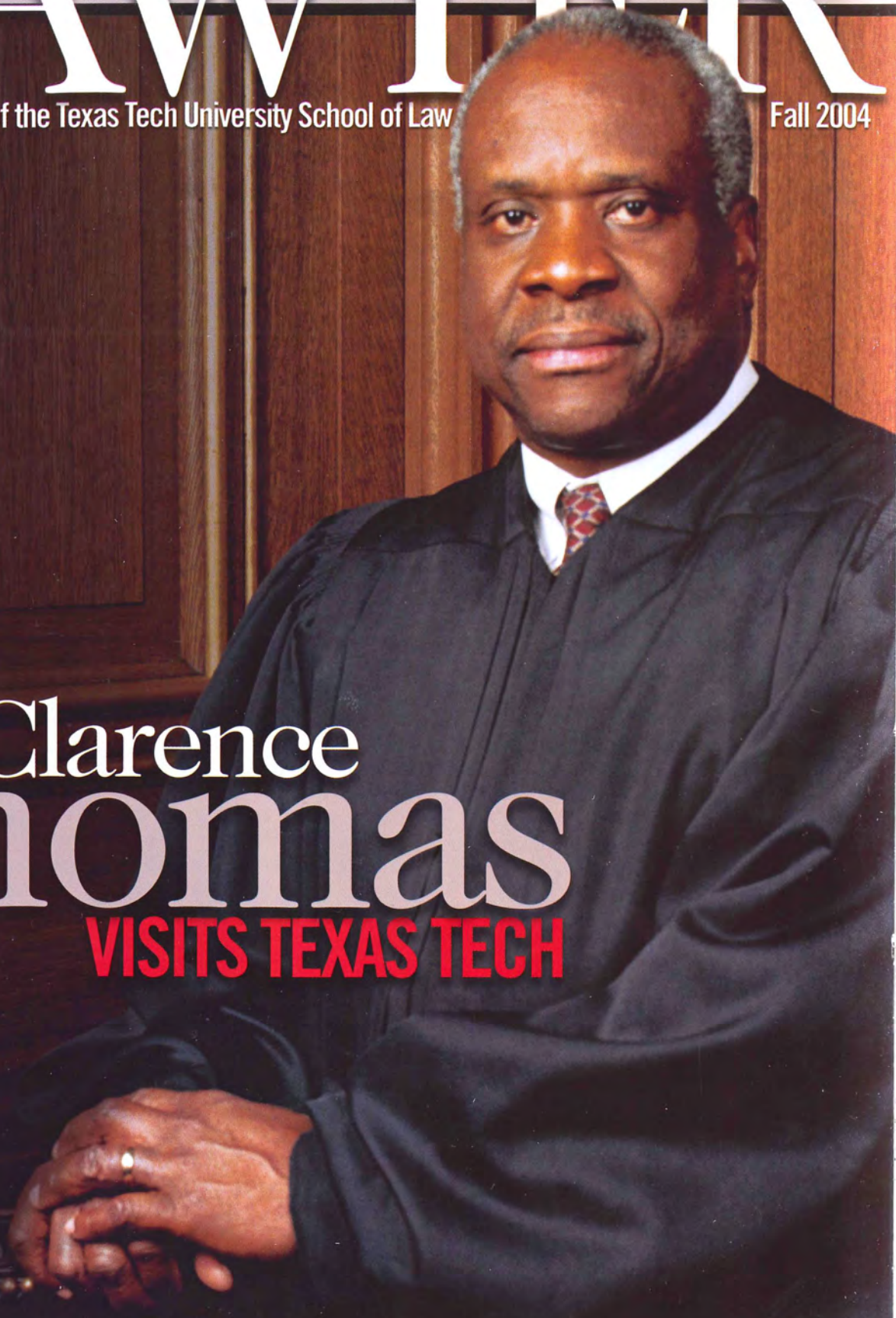
The Alumni Magazine of the Texas Tech University School of Law

Fall 2004

**Singing
Cowboy**
HAS A DAY JOB
AS A LAWYER

**Queens
Over
Jacks**
THE FLOYD
HOLDER STORY

Clarence
Thomas
VISITS TEXAS TECH



Texas Tech Law School Alum:

"I graduated from Texas Tech Law School in 1988. I had Professor J Hadley Edgar for Torts, and can still vividly remember my classmate fainting right in front of me while standing to recite. I spent many evenings at the law school with the Board of Barristers, in Mock Trial and Moot Court competitions. When I graduated, I couldn't wait to get into the courthouse.

In my first civil jury trial, the defense lawyers were Harvard Law School graduates with a big firm in Dallas. We won a million dollar jury verdict in a wrongful discharge case and sustained the verdict at the Supreme Court.

Over the last 15 years of practice, I have been privileged to handle a lot of serious injury and death cases from all over the State. Many of those cases have been referred by my fellow alums in Dallas, Houston, Austin and the Valley. I believe that my firm of "Tech Lawyers" prepares a case as well as any Plaintiff's firm in the State.

I congratulate the Law School on its continued success, and look forward to working with many future generations of Tech Lawyers."

Kevin Glasheen

Kevin Glasheen



"Kevin Glasheen and his success epitomize the kind of stellar legal practitioners produced by Tech Law. He has also set the standard for giving back to his Law Alma Mater and supporting the next classes of great Tech Lawyers. Kevin is a superb representative of our law school in every respect."

Walter B. Huffman
Dean and Professor of Law
Texas Tech University School of Law

Board Certified Personal Injury Trial Law and Civil Trial Law by the Texas Board of Legal Specialization. Licensed in Texas, New Mexico and Colorado

Verdicts and Settlements

**TRAIN WRECK
DEATH CASE**
\$65 Million Verdict

**TRAIN WRECK
DEATH CASE**
\$46 Million Verdict

WRONGFUL DISCHARGE
\$36 Million Verdict
Reduced To
\$2.7 Million

**GAS LINE
EXPLOSION INJURY**
\$4.5 Million
Settlement

INDUSTRIAL BURN
\$4.2 Million
Settlement

**TRUCK WRECK
BRAIN INJURY**
\$3.5 Million
Settlement

WRONGFUL DISCHARGE
\$3.3 Million Verdict

OIL FIELD ACCIDENT
\$2.6 Million Verdict

FINGER AMPUTATION
\$2.1 Million
Final Judgment

**EXPLOSION
DEATH CASE**
\$3 Million Settlement

SHOULDER INJURY
Non-subscriber
\$875,000 Settlement

Results obtained depend on the facts of each case



THE LAW OFFICES OF KEVIN GLASHEEN

1007 13th Street • Lubbock, Texas 79401
(806) 741-0284 • e-mail: kevin@glasheenlaw.com

CONTENTS

FALL 2004



FEATURES

7

Tech Law Grad Settles in Switzerland

8

Clarence Thomas Visits Tech Law
O'Connor Speaks in Midland

14

Feathered Lampshades and the Law

16

Singing Cowboy
has a Day Job as a Lawyer

18

Assistant Federal Public Defenders
Hard At Work

19

Queens over Jacks:
The Floyd Holder Story

20

Tech Law Grad Elected President
of the Texas Young Lawyers' Association

DEPARTMENTS

2 Message from
Dean Walter B. Huffman

4 Message from Dr. Gibbs

6 Editor's Note

21 WITHIN THE HALLS **AT THE TEXAS TECH UNIVERSITY** **SCHOOL OF LAW**

Adjunct Lectures on Trans-Atlantic
Relations in the Age of Terrorism

TTU Black Law Student Association
Hosts Regional Conference

Health Law: A Meeting of the
Professions

Tech Law Review Hosts 2004 National
Conference of Law Reviews

Visiting Professor Speaks on Protecting
Works of Cultural Significance

Tech Law Technology Update

The First Taste of Tech Law

Tech Law Hosts Sarah Weddington

Tech Law Graduates the Class of 2004

Board of Barristers Happenings

The Federalist Society wants YOU...to
be informed

37 CLASS NOTES

43 ALUMNI AFFAIR

48 SPRING PREVIEW
Can Lanier Rise to the Challenge?



The First Taste of Tech Law



Mark Lanier



WELCOME TO the 2nd Edition of the *Texas Tech Lawyer*! I appreciate the many positive comments we received concerning the 1st Edition and the other efforts we have made to reconnect with and inform our Alumni. Our personable and talented Alumni Relations Director, Ms. Casey Carson, and our student editorial staff are doing a superb job. I believe you will find this edition both entertaining and informative, because the past few months have been the most eventful I have experienced as dean of our law school.

I know you will enjoy reading about Justice Clarence Thomas' visit to Tech Law, a visit begun by a rousing introduction of the Justice by his friend, Coach Bob Knight – certainly two of the more intriguing persons on the national stage today – and a special day for everyone involved. Other special events The Texas Tech University School of Law sponsored recently included the National Conference of Law Reviews (where “Oreo” and I posed for this photo), the Rocky Mountain Regional Black Law Students' Conference, and the Jessup International Moot Court Southwest Regional Competition. All were acclaimed by law student and faculty attendees from around the Nation as exceptional events.

On the individual honors front, our students and alums continued to excel as for the first time, a Tech Law student was named “Outstanding Law Student in America”, and for the first time in a while, the new TYLA President-elect is a Tech Lawyer. Another Tech Law alumnus released his first CD, and yet another was featured in *The American Lawyer* as the candidate for the title: “the next great trial lawyer in America.”

As Dr. Russ Gibbs, our indefatigable and always positive Director of Development details in his column, our generous alumni and friends have made donations to the Tech Law School Foundation that have exceeded our fund-raising goals for the year, allowing for the creation of new programs, scholarships, and activities—including the two largest Endowed Professorships in our history. I thank all of you who have given back to Tech Law to allow us to pursue opportunities and excellence.

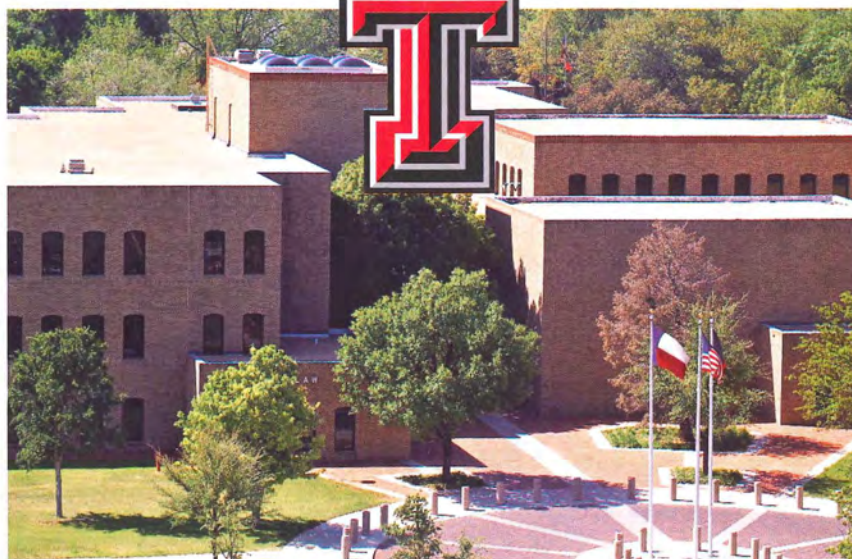
Speaking of excellence, I know every Tech Law Alum and student was pleased when we moved up from the fourth to the third tier in the *U.S. News & World Report* survey of American law schools. While we are happy for the recognition of our upward movement, we are not satisfied with the third tier, nor are we at all convinced that the ranking reflects the true quality of Tech Law. We are convinced, however, that with your help, we can and will continue to move onward and upward – both in the survey and in fact.

The bar has definitely been set high for the next year. I am confident that, with your assistance and support, 2004-2005 will be even better.

Happy reading!

A handwritten signature in black ink that reads "Walter B. Huffman". The signature is fluid and cursive, with a long horizontal line extending to the right.

Walter B. Huffman
Dean and Professor of Law
Class of '77



Alumni Weekend

September 17-18, 2004

Friday, September 17

Law School Gala

Merket Alumni Center

6:30 p.m. Cocktails

7:00 p.m. Dinner and Program

Speaker: Mark Lanier
Tech Law Class of '84

Sponsored by Office of Alumni Relations and Phi Alpha Delta

Saturday, September 18

CLE

Texas Tech Law School

8:30 a.m. – 10:30 a.m.

Jury Selection Tips and Trial Techniques

Speakers: Mark Lanier and
Dr. Robert Leone

Tech – TCU Football Game

Jones SBC Stadium

11:30 a.m.

For more information, contact the Office of Alumni Relations
(806)742-3990 ext. 315 or casey.carson@ttu.edu

Heartfelt Thanks



We could never say "thank you" too much for your generous support of the Law School this school year! Since September 2003 our Tech Law Alumni and friends have given, pledged, designated in their estates, and Texas Tech University System has matched with special funds a total of approximately \$7,440,981! You can see that we are definitely moving in the right direction when you compare the \$411,670 donated in 2002-2003!

A summary of these gifts are:

\$4,121,296 endowment from the George and Mary Killam CRUT to establish the George R. Killam, Jr. Chair of Criminal Law

\$300,000 pledge from Wayne Reaud to establish the West Texas Legal Legends student scholarship endowment with a \$200,000 match from Texas Tech

\$269,600 from alumni and friends to establish the Preston Smith Regents' Endowed Professorship with a \$250,000 match from Texas Tech

\$85,343 in scholarships and awards

\$89,042 for student activities

\$59,100 in unrestricted general operating gifts

\$2,000,000 (with the possibility for an additional \$2,000,000) in an estate gift from an anonymous donor (at press time details of the gift are being finalized).

What an incredible year!

Your leadership and support has truly made a significant difference in YOUR law school! Every gift of any size is important! I hope you will generously give to continue our upward progress and further our commitment to excellence!

Thank you!

Sincerely,

Dr. Russ Gibbs, CFRE
Development Officer
806-742-3990 ext. 356
russ.gibbs@ttu.edu

EXECUTIVE BOARD

EDITOR-IN-CHIEF

Brian James Rogers

MANAGING EDITOR

Elizabeth Ryan

ARTICLES EDITOR

Mark A. Curnutt

TECHNOLOGY MANAGER

Mark Anthony Methenitis

ART DIRECTOR

Lauren Elizabeth Klingler

ASSOCIATE EDITOR

Tiffany Hawkins

ASSOCIATE EDITOR

Omar Gabriel Villa

ASSOCIATE EDITOR

Thomas Leonard

STAFF PHOTOGRAPHERS

Thomas Leonard

Jennifer Lee Doak

Omar Gabriel Villa

STAFF MEMBERS

Greer Ackley

Kelly Berry

Scott Bradney

Tania Buler

Steve Burzinski

Marc Chavez

Kelly Decker

Jennifer Lee Doak

Thomas Feighny

Taylor Ferguson

Chris Hesse

Robert Hu

Sonya Jones

Cameron Krier

Marci McClellan

Stephenie McCoy

Baron Oursler

Gary Prust

Kristin Rostran

Jon Rowan

Chris Rucker

Amy Simpson

Cynthia Villanueva

Darren Wilcox

FACULTY ADVISORS

Dean Walter B. Huffman

Assistant Dean Kay Patton Fletcher

Associate Dean Richard Rosen

WE WELCOME YOUR LETTERS AT:

Casey Carson
c/o Texas Tech Lawyer
1802 Hartford Avenue
Lubbock, Texas 79409

TO ADVERTISE:

Casey Carson
(806) 742-3990 ext. 315
E-mail: casey.carson@ttu.edu

The entire staff would like to offer a special thanks to Casey Carson for all of her hard work and tireless enthusiasm.

The Texas Tech Law School Foundation recognizes the generosity of the alumni and friends of Texas Tech University School of Law who contributed to the Preston Smith Regents' Endowed Professorship.

Thank You!

\$50,000 +

Mark & Becky Lanier

\$20,000 - \$49,999

David D. & Nona S. Payne
Foundation

\$10,000 - \$19,999

Kevin & Elaine Glasheen
Brian Loncar
Anonymous

\$5,000 - \$9,999

Hershell L. Barnes, Jr.

Greg W. Curry

John Huffaker

Roger A. Key

Lee & Julie Parsley

William Allensworth

Douglas C. Atnipp

Robert A. Black

Anonymous

Anonymous

Kem T. Frost

Chester & Laura Grudzinski

Tom & Lisa Hall

Michael J. & Marcy Henry

Larry W. & Carol Ann Hicks

Walt & Anne Huffman

Michael Hull

Charles E. & Jan E. King

W. Frank Newton

David P. Poole

John & Kathryn Rapier

Barbara Runge & Rusty Howard

John & Carolyn Simpson

Jeff Wentworth

Harold & Sue Ann White

Mark D. & Terry Ann White

Jo Ben & Diane Whittenburg

Wm. Chris Wolffarth

George Parker Young

\$1,000 - \$4,999

M.C. Carrington

Larry & Connie Wharton

Wade & Kim Shelton

Gerald & Deborah Dixon

Barbara & Rod Ellis

Grant "Tres" Adami, III

Joe & Betty Crawford

C. Neel Lemon, III

J. Max Moudy

\$100 - \$999

Susan & Jimmy D. "Skip" Hulett, Jr.

Russ & Vicki Gibbs

Melanie McKenzie O'Malley

Reeves R.D. Winn

Editor's Note

It was canned chili. Accepted students weekend was coming up and we at the magazine thought we should have a presence at the event. I remember when I came to the accepted students chili cook-off—it was a big deal to me. Lawyers, law students, and of course, law professors were intimidating figures. They were people who knew what all those laws were all about. They all knew more than me, but were gracious enough to host a party for all of us who wanted to join their ranks.

I remember coming away from that event in 2002 thinking that I was positive that law school was for me. More than that, Texas Tech School of Law was for me. I had visited other law schools, but no where had they



shown the kindness and inexhaustible patience in dealing with me, and hundreds just like me. The people at Tech Law are a family, a team.

With accepted students weekend on the horizon, I signed up the editorial board to compete in the chili cook-off. It was important for me to make this magazine a part of that team, that unified front, which Tech Law presents to outsiders.

When it came time to cook the chili for the event, I found that I was too busy. Too busy with papers, too busy reading, and, honestly, too busy with the friends I had made here at law school. To save face, and to be a part of the whole thing, a crock-pot was borrowed. Then a big can of generic chili was bought, along with a big bag of generic chips. Some spoons and some

bowls rounded out the shopping trip the day before the chili cook-off.

The editorial board and some of the staffers for the magazine came by the table at the chili cook-off to taste our contribution. Members of other groups came by to try it out. And, of course, the accepted students who were excited about their choice, and those who were still on the fence about coming to law school or to Tech all tried the canned chili.

All were aghast that anyone would serve canned chili at a chili cook-off.

"Didn't you add anything?" they would ask.
"Heat," we said. "We added heat."

My close friends even refused to take one bite, lest they might encourage me and my reckless behavior.

The joke was on them when we won first place. That's right. Somewhere between joking with professors and other students, we gave a sample of the chili to the judges. And they liked it. I almost missed the announcement—I was talking to an accepted student and telling him why I was glad I chose Tech over any other school and the microphone came on for the announcement. When I heard we won, I couldn't stop laughing as Asst. Dean Terence Cook handed me the award.

This magazine is a lot like that chili cook-off. I wanted to be part of it because I wanted to be part of the Tech Law experience. And, like the chili-cook-off, I hope this magazine is seen as part of that united front that the law school shows to outsiders. It's a proud heritage, and every student, every alum and every professor holds that pride close.

And, like the canned chili, we did our best on this, the second issue of the *Texas Tech Lawyer*. We know you'll like it, but we would also be surprised if it wins first place in any competition.

Brian Rogers
Editor in Chief



Tech Law Grad Settles in Switzerland

LIVING AND WORKING in the pristine wonderland of Switzerland, one Tech Law Alum is grateful for the lessons she learned in Lubbock.

Shelley Lugon-Moulin (Swift) practices in Zurich, Switzerland, using skills she acquired while earning her J.D./M.B.A. from Tech in 1997. She also attended Tech as an undergraduate.

Lugon-Moulin works for Ernst & Young, a global firm that provides audit, tax, and related professional services. She helps clients with international customs laws and regulations. Lugon-Moulin says that working for Ernst is different from working for a traditional law firm—and working in Switzerland has expanded her understanding of "how things work in the world."

Lugon-Moulin learned about international business and law spending three summers abroad while earning her J.D./M.B.A. Her time abroad introduced her to different cultures and proved to be a springboard for her career.

She started her legal career in 1997 by clerking for what is now Givens & Johnson, a customs firm in Houston.

Lugon-Moulin enjoyed incorporating her business background with her law degree, especially in the areas of international trade and customs law. She eventually moved to business consulting and joined Arthur Andersen's International Trade and Customs division, working in both Houston and San Diego.

Eventually, Ernst & Young bought this division of Andersen, and Lugon-Moulin has been with Ernst & Young ever since.

Lugon-Moulin traveled internationally while working

for Ernst & Young in the U.S. Recently, she and her Swiss-native husband made a permanent move overseas to Switzerland with their three-year-old son. She said she enjoys the "lighter pace of life" and the great public transportation not available in the U.S.

Office life in Switzerland is much the same as office life in the U.S. While four languages are spoken in this relatively small country (the Romansh dialect, Swiss German, French, and Italian), English is the primary language in the workplace. Lugon-Moulin says English is fast becoming the international workplace language. She jokes that, "people will tell you 'I speak a little



Lugon-Moulin says that working for Ernst is different from working for a traditional law firm—and working in Switzerland has expanded her understanding of "how things work in the world."

English' and then teach you a vocabulary word."

While working for Ernst & Young, Lugon-Moulin built upon the knowledge she learned in law school. She says one of the valuable things she gained from law school is her technical-writing skills, which she now incorporates with tax-law concepts and accounting. Lugon-Moulin enjoys applying her skills to help solve her clients' problems. She is especially pleased to see her advice put into action to help minimize business costs – from tax arrangements to supply chain management techniques.

Incorporating her business background with her law degree has enabled Lugon-Moulin to travel and experience life in another country. Although she is many miles from Lubbock, the lessons she learned have traveled well. **TTL**

By Greer Ackley



CLARENCE THOMAS Visits **Tech Law**

By Mark Curnutt

Tech Law students were treated to a once in a lifetime visit from a United States Supreme Court Justice on February 3rd, when Justice Clarence Thomas visited and spoke to students in an open question & answer format while telling stories about his youth and his trials and tribulations of being a young lawyer in the South.

More than 170 students packed into a lecture hall while another 100 students watched Justice Thomas via closed circuit television in the law school forum. Texas Tech Men's Basketball Coach, Bobby Knight introduced Justice Thomas to the student audience.

In his opening, Knight told the students he was glad to see all of the students studying law...because he might need an attorney in the future.

An unlikely pairing, Coach Knight and Justice Thomas began their friendship in the early 80s when Coach Knight was at Indiana University. Justice Thomas

quoted Coach Knight who once said, "Success is not about the will to win, but rather it is about the will to prepare." At the time Justice Thomas was struggling to make ends meet, and the quote helped him through those tough times. Justice Thomas contacted Coach Knight to tell him what it meant to him, thus beginning a long friendship.

In Lubbock to see his friend and watch a basketball game, Justice Thomas said he rarely has the opportunity to speak to students in this type of setting and wanted to be as open as possible. He started by giving a brief description of the Court from a perspective the public does not see. Justice Thomas said that in discussions among the Justices, there is never a raised voice. He also said that while not all Justices agree with each other, never are there hard feelings between them.

Law student Bryce Perry said, "The legal realm seems to be ripe with intimidation, whether intentional or not. Justice Thomas' candor and welcoming personality

Perhaps the **most compelling part of the discussion** was when Justice Thomas recalled his own experiences as an attorney. **Justice Thomas did not originally want to practice law. Rather, he wanted to follow his religious upbringing and become a priest.**





Adjunct Professor Richard Baker, Justice Thomas, Jane Baker

should give us hope that, as we plan to enter the profession, it doesn't have to be that way."

At ease with his audience, Justice Thomas fielded questions about decisions the court has handed down. When questioned about specific opinions he wrote, Justice Thomas recalled the details of his opinion and gave justifications for particular por-

Specifically, Justice Thomas addressed some recent decisions that have impacted students nationwide. Law student Peter Hall was impressed with Justice Thomas' thoughtfulness surrounding social hot topics. "To me the most memorable discussion was about race and his philosophy that race should not be an issue... I think that is a very legitimate point that the

CLARENCE THOMAS Associate Justice

- Born in the Pin Point community of Georgia, near Savannah, on June 23, 1948
- Married Virginia Lamp in 1987
- Has one child, Jamal Adeen, by a previous marriage
- Attended Conception Seminary and received an A.B., cum laude, from Holy Cross College
- Received a J.D. from Yale Law School in 1974
- Admitted to practice law in Missouri in 1974
- Served as Assistant Attorney General of Missouri from 1974 to 1977
- Worked as an attorney with the Monsanto Company from 1977 to 1979
- Worked as a legislative assistant to Sen. John Danforth from 1979 to 1981
- Served as Assistant Secretary for Civil Rights, U.S. Department of Education, from 1981 to 1982
- Served as Chairman of the U.S. Equal Opportunity Commission from 1982 to 1990
- Became a Judge of the U.S. Court of Appeals for the District of Columbia Circuit in 1990
- Nominated as an Associate Justice to the U.S. Supreme Court by President Bush and took his seat Oct. 23, 1991

tions. He also cited previous cases from memory. Students were amazed by his working knowledge of the law and previous decisions of the Court. Discussing a multitude of issues, Justice Thomas touched on affirmative action, the right to privacy (or lack thereof), the death penalty, and globalism.

media and supporters tend to gloss over or ignore," Hall said.

When asked about his position in the two University of Michigan affirmative action cases, Justice Thomas asked the student to look beyond the general topic to the implementation of affirmative action plans and assess if the plans benefit

and increase the development of equality between races. He indicated that the idea is good, but the plan was not constructed in a way to really benefit minorities in the long run.

Discussing a person's right to privacy, Justice Thomas asked where that right is granted to anyone. Relying on first-year Constitutional Law classes, students answered that the right is not explicit, but implied. Justice Thomas then asked how it was implied. By asking these questions, he indicated that a major factor in all court decision is to determine what is the intent of the Constitution or the Legislature or local laws. By determining the intent, the Court has a direction on which to interpret the laws.

Perhaps the most compelling part of the discussion was when Justice Thomas recalled his own experiences as an attorney. Justice Thomas did not originally want to practice law. Rather, he wanted to follow his religious upbringing and become a priest. Racial tensions in the 1960s ran high in Missouri where he was attending Immaculate Conception Seminary. After taking time off, Justice Thomas moved to Massachusetts and received a degree in English from Holy Cross College.

Following his undergraduate work, Thomas was accepted into the Yale University Law School. Specializing in tax and anti-trust law, Justice Thomas was highly recruited upon graduation. Heading back to Missouri, Justice Thomas worked for the state's Attorney General and as a corporate attorney. He then moved to Washington and received several positions and promotions from the Reagan Administration. This led to his position as head of the Equal Employment Opportunity Commission. Making drastic changes and reorganizing the focus and procedures of the EEOC, Justice Thomas gained both praise and criticism. His ability and reputation gained him an appointment by President George H.W. Bush in 1990 to the United States Court of Appeal in Washington D.C. Less than a year later, President Bush nominated Justice Thomas to the United States Supreme Court.

Justice Thomas' personal history and the grace with which he handled adversity, inspired students attempting to plan their futures. "At a time where I find myself concerned about acquiring a job out of school, hearing Justice Thomas speak provided a comfort that anything is possible if you want to do what it takes to get it. He made a comment something along the lines of that: you have to do more than want to attain something, you have to want to do what it takes to attain it, and that is something that I will forever remember," said Kevin Curley, a Tech Law student.

During his presentation, Justice Thomas indicated that he did not foresee becoming a judge, let alone a Supreme Court Justice. Yet in that capacity, Justice Thomas has applied his legal expertise to decide many important decisions before the Court. When asked what qualities make a successful Justice, he responded by say-

O'Connor speaks in Midland

By Tiffany Hawkins

THE SECOND WEEK OF FEBRUARY presented a unique opportunity for Texas Tech law students—the opportunity to see two justices of the U.S. Supreme Court. Justice Sandra Day

O'Connor spoke at Midland College in Midland on Feb. 4 - only two days after Justice Clarence Thomas spoke at Texas Tech Law School.

"Very few people, in a lifetime, have the opportunity to attend a personal appearance of a U.S. Supreme Court justice," Gay Pulner, Tech

"Very few people, in a lifetime, have the opportunity to attend a personal appearance of a U.S. Supreme Court justice," Gay Pulner, Tech Law student, said. "To have the privilege twice in the course of 48 hours is incredible."

Law student, said. "To have the privilege twice in the course of 48 hours is incredible."

President Reagan nominated O'Connor as an associate justice of the Supreme Court in 1981. She was the first woman to sit on the Supreme Court.

O'Connor spoke of her childhood experience on her family's 198,000 acre cattle ranch in the southwestern United States. The "Lazy B" ranch sat 35 miles away from the nearest town and 12 miles away from the nearest neighbor.

"There is something about living in big empty

—Continued on p. 13



Shawn Smith, Tech Law student, Justice Thomas

U.S. District Judge Robert Junell '76, Justice Thomas, Beverly Junell



ing that a normal person hears news and headlines and says "there ought to be a law for that," whereas a Justice researches, writes briefs, and formulates decisions that impact countless people rather than the one person that makes the news.

In understanding the intent of the Founders when they wrote the Constitution, Justice Thomas told the students that older contemporaneous dictionaries are often valuable sources of research. Based on his statements and his justifications for his decisions, Justice Thomas seemed to be a believer in the letter of the law, the literal meanings and statements in the Constitution. Yet he also applies those words and meanings to events to develop opinions and decisions that meet the present needs of society without succumbing to temporary or short-lived fads and trends whether they be social, political, or economic.

Not only was this visit by a sitting Supreme Court Justice an honor and a privilege for the students, Justice Thomas' visit was a great experience for the Law School as well. As students, faculty, staff, and alumni strive to maintain levels of excellence in and out of the courtroom, visits by leaders of our profession are the intangibles that aid our success and prestige on other levels. "I think his visit will definitely help our law school for recruiting and marketing purposes— what other Texas law schools can say that they had a Supreme Court Justice spend the day with them?" said student Jennifer Southard. Disliking cameo appearances, Justice Thomas felt more at home in this setting, much to the delight of the students and he easily won over the crowd with his charm and good-nature.

As many students have aspirations to one day argue before the Supreme Court, Justice Thomas was asked for any hints he may have for a successful oral argument. Smirking, Justice Thomas told students how honesty is the best policy. More importantly, he thought it was imperative to stay within the limits of the Court. He indicated a good oral argument is concise and clear. The lawyer should be modest, but have the confidence to present his or her case in simple terms establishing a rapport with the Court. Above all else, he said the attorney should do anything he or she could to stop the Justices from asking question upon question. These hints and suggestions are comparable to high-school basketball players getting advice from their favorite professional player.

Afterward, Justice Thomas met with students for photo opportunities assuring everyone that if they sent it to his office, he would sign it and send it back. As thankful as students were to listen to him speak, Justice Thomas seemed equally thankful for giving him the time to talk and for engaging him in good questions and conversation.

When asked for a memorable moment, a noticeably excited student, Matt Schaefer responded, "Justice Thomas strengthened my hope for our republic. If we could get more men like him on the court, we would be in good hands." **TTL**

space, where people are few and distant, under a great sky that is alternately serene and furious, exposed to the sun from four in the morning until nine at night, and to a wind that never seems to rest – there is something about exposure to that big country that not only tells an individual how small he is, but steadily tells him who he is," O'Connor said, as she quoted Wallace Stegner's description of growing up in the West.

O'Connor attended Stanford University and Stanford Law School, where she met her husband, John Jay O'Connor, III. Upon graduation from Stanford, O'Connor said it was difficult to find employment as a female attorney.

"It was enlightening to hear her discuss her problems with finding employment after law school graduation," Anna Mayer, a Tech Law student, said.

O'Connor discussed her career path to the Supreme Court – a path that involved conflicts between her roles as a wife, a mother, and an attorney. She spoke briefly about her time with the Supreme Court, and then, she answered questions previously submitted by members of the audience.

"She answered candidly, and I appreciated that," Stacey Shaw, a Tech Law student, said. "She was honest about her struggles and about the Supreme Court."

"She made no apologies for any decision she has ever made on the bench," she said.

"She is a truly remarkable woman," Shaw said. "She has accomplished such greatness in her life; yet, she was humble about all that she has achieved."

- Born March 26, 1930, in El Paso, Texas
- Received B.A. and LL.B. from Stanford University
- Married John Jay O'Connor III in 1952 and had three sons, Scott, Brian and Jay
- Served as deputy county attorney of San Mateo County, California, from 1952 to 1953
- Served as civilian attorney for Quartermaster Market Center in Frankfurt, Germany, from 1954 to 1957
- Practiced law in Maryvale, Arizona, from 1958 to 1960
- Served as Assistant Attorney General of Arizona from 1965 to 1969
- Appointed to the Arizona State Senate in 1969, where she was re-elected to two, two-year terms
- Served as judge of Maricopa County Superior Court from 1975 to 1979
- Appointed to the Arizona Court of Appeals in 1979
- Appointed to the U.S. Supreme Court in 1981

[source: www.supremecourtus.gov]



photo courtesy of Pittman & Dierlam, P.C.

Dierlam (L) and Pittman

Feathered Lampshades and the Law:

All-Woman Law Firm
Opens In Roswell, New Mexico

By Kristin Rostran

WITH FEATHERED LAMPSHADES and a special room for the kids, one Tech Law Alum is paving the way toward the new kind of law firm—something that may appeal to any lawyer, despite their gender.

In June 2003, Judy Pittman, Tech Law '94, opened the first all-woman law firm in Roswell, New Mexico, in an effort to spend more time with her husband and four children.

The path to becoming her own boss began two years ago when she decided to take a two-month sabbatical from her job at Sanders, Bruin, Coll, & Worley, P.A. in Roswell. "I think, typically, family law is known to have a high burn-out rate," Pittman said. "I had a client who was killed by her husband while we were at trial. I decided to take a break after that."

Although Pittman intended to return to work at Sanders, she ended up working as an attorney for the city of Roswell. Pittman, a police officer before attending law school, took the job because it allowed her to represent her fellow officers.

She enjoyed the hours of her new job, too. As a mother of four, the 9-to-5 day was a welcome break from the demanding hours of working at a larger firm, but Pittman found herself longing for private practice again. When the city decided to close its legal department and hire out its legal representation, Pittman didn't pass up the opportunity. She made a bid for the work. In June 2003, her practice earned the contract to represent the city. Now, she represents Roswell's police officers, firemen, and airport, as well as handles municipal court cases. She has also found her way back to family law.

She said the biggest perk of being her own boss is spending more time with her husband and four children.

"Sanders was a great firm to work with, but of course they still had demands," Pittman said. "Having my own firm means I can control my own hours. In a larger law firm there are more financial requirements. Although Sanders was gracious in reducing my billable hours because I was a mother, by going out on my own there is less overhead which means less hours of work."

Instead of billing 116 hours as she did for Sanders, a typical month for Pittman now includes 80 billable hours. "That means a week less of work," said Pittman.

She is able to accommodate her children's needs better than before. She can leave work at 3 p.m. to pick them up from school or take a long weekend to visit her oldest child away at college.

Being her own boss also means she has more opportunities to do pro bono work. While Sanders, Bruin, Coll, & Worley, P.A. did give her a great opportunity to represent abused and neglected children, now she can decide what

cases to take, even if the client can't afford her help. Recently, Pittman was able to help a father get custody of his child, only charging \$5 per hour to represent him. "I have more flexibility now," Pittman said.

Pittman believes the all-woman firm has a lot to do with that freedom. She works closely with her partner, Allison Dierlam, a University of Texas Law School graduate, which means each woman can handle the other's case load if the need should arise.

When Pittman and Dierlam decided to open their own firm they started from scratch and bought almost everything they needed in 3 days. "We didn't own anything—not even a stapler," said Pittman.

Pittman is quick to laugh at the first few surprises related to opening her own business. "I thought I could go to the store and buy five phones for \$59 each," said Pittman. "I didn't know you had to pay \$2000 for a phone system."

Pittman also forgot to time the opening of the firm with the release of the phonebook. When the office number was finally listed, it was printed incorrectly. "We still had plenty of work," Pittman said. "God has blessed us."

The legal community in Roswell has also been supportive of the firm. "They really cheered us on and told us we could do this," Pittman said. "They referred cases rather than be competitive. It was a very nice surprise."

As a nontraditional law student and now a nontraditional lawyer, Pittman is adamant about telling people to follow

their dreams. "I was 28, my husband had just lost his job and we were moving to Texas," said Pittman. "I had happened to mention to him that I had always thought about being a lawyer." Pittman, who had not graduated from college yet, heard words she has not forgotten.

"My husband told me 'you can turn 34 and say I want to be a lawyer or you can turn 34 and be a lawyer.'"

Pittman was already a mother of two when she applied to law school and as a first-year law student was pregnant, giving birth two weeks after final exams. She credits determination and her love for furniture with getting her through the tough times associated with law school. "When I would have bad days a friend would take me to a furniture store," said Pittman. "I love furniture. She would pick a piece, point at it and say 'If you quit you can't buy this.'"

Now Pittman boasts of her beautiful office. "Everyone always says you can tell it's an all-woman law firm when they notice the feathered lamp shades," said Pittman.

People are noticing much more than office décor. Six months after opening, the office doubled in square feet to accommodate all of the business that was coming in. Tech Law Alum Judy Pittman has evidently found a way to be an involved wife, mother, and a successful attorney. **TTL**

She enjoyed the hours of her new job, too. As a mother of four, the 9-to-5 day was a welcome break from the demanding hours of working at a larger firm, but Pittman found herself longing for private practice again.



Singing Cowboy

Has a Day Job as a Lawyer

GREG WESTFALL, a 1993 Tech Law grad, is living the dream of every 14 year-old kid—he plays guitar in a band. Westfall recently released *Texas Theater*, a Texas-Country album with a heavy-handed hard rock influence. CDBaby.com described the album as “Alternative Country with a ragged edge—ZZ Top and George Thorogood meet Pat Green.”

Westfall’s songs follow the Texas folk tradition: Songs about outlaws. . . ., and songs about Texas. Westfall wrote all the songs on *Texas Theater*, except two (“He Stopped Loving Her Today,” by Bobby Braddock and Curly Putman, and “Mama Tried,” by Merle Haggard).

Westfall has an edge over other song-writers. He is a criminal defense lawyer. With that as a backdrop, Westfall’s songs take on another dimension by painting pictures of detailed, colorful characters and situations. Most notable are the songs “Two-Finger Dan” and “The Angel.”

In “Two-Finger Dan” Westfall sings about that mean old man (there’s one in every town) who would “shoot your dog if it set one foot on his property.”

*“Two-Finger Dan was a scandalous man, as mean as a man could be.
Two-Finger Dan had an evil streak; he was different from you and me.
That old man had a chip on his shoulder; it was plain for all to see.
Two-Finger Dan was a bad old SOB.”*

Westfall said he based the song, in part, on the real story of William Chappell, a man executed in 2002 for the killing of his ex-girlfriend’s sister, mother, and step-father.

By Gary Prust



Above: L to R - Andy Pearce, Steve Froese, Bob Prince, Greg Westfall
 Right: Photos from Soundcheck

Another great song that was influenced by Westfall's experience as a criminal attorney is "The Angel." It is a song about living in one of the towns caught in the terror-grip of railroad serial killer, Angel Maturino Resendiz:

"Tonight, he kills south of the city, not far from Esperanza Park.

Leaves him down by the rails at the crossroads and disappears into the dark.

Keeps his head as the wheels start turning. Feels the power start to flow.

The voices give way to a silence, as the rusty rails take him home."

Other songs about criminals include "The Hill," "Outlaw," and "Wanted Man."

The rest of the songs on Texas Theater are about Texas life and love. The common thread among the songs are that they are ballads that tell stories. All of Westfall's songs, even the ones not about criminals, have real characters. He plans on releasing a second album sometime in the fall. This time, the band will take on the permanent name of "Texas Theater."

Westfall has been playing guitar off-and-on since the age of 13. Before finishing at the University of Texas at Arlington, Westfall played with a band called the Texas Bandits. Westfall's music career began again when he picked up his guitar after taking a break to attend law school. His playing increased even more when his son, Bennett, was born. Westfall wants his son



Photos by Thomas Leonard

and daughter, Kate, to grow up in a house with music, and he hopes that they will at least try it some day.

Unlike most serious musicians, Westfall has a lucrative, successful career as a partner in the firm, Westfall, Platt, and Cutrer, specializing in state and federal criminal defense. They also work in securities arbitration and stockbroker fraud.

Westfall's recent awards include Tarrant County Business Journal's "Attorney of Excellence" (one of only four criminal defense lawyers in Ft. Worth to receive the award), Fort Worth Magazine "Top Attorney" (in both 2001 and 2003), and Texas Monthly "Super Lawyer" (in 2003).

Although Westfall said that no song is "100 percent about my own work," he has enough influence from his "lawyer work" to keep it entertaining and interesting.

Texas Theater can be purchased at <http://www.cdbaby.com>.

For more information on his firm, visit <http://www.wpcfir.com>. **TTL**

Assistant Federal Public Defenders Hard at Work

SINCE 1994, Lubbock's criminal defense bar has included attorneys from the Federal Defender's Office. These four assistant defenders have caseloads that include immigration, drug, firearm, and internet pornography offenses. Currently, each defender handles 25 to 40 cases at a time.

Federal criminal trials are rare: the vast majority of cases result in plea-bargains. Tech Law '94 grad, Shery Goodwin, who has been with the office since 2000, measures success by the result she achieves in each individual case: "Success is defined by what you are achieving for your client. You try to mitigate the trouble they are in and get them the best deal possible." Goodwin enjoys working as an Assistant Defender. "In private practice, you are constantly worried



"In private practice, you are constantly worried about the bottom line to make sure you have a cash flow. In federal practice, if you take 20 to 40 hours on a project, you don't need to worry if the client can pay or not."

about the bottom line to make sure you have a cash flow. In federal practice, if you take 20 to 40 hours on a project, you don't need to worry if the client can pay or not."

'91 Tech Law grad, Jerry Beard has been with the Federal Defender since 1994 and works primarily as an appellate attorney. His practice routinely takes him before the Fifth Circuit Court of Appeals in New Orleans. "The most interesting part of my job is arguing before the Circuit Court. I love the 'rush' of anticipating and answering the panel's questions."

All of the office's defenders commit themselves to providing quality defense to indigent clients. "You are obligated to represent them to the fullest of your ability. It is not only a

commitment to your clients, but also to the process in general. I perceive myself as a defender of the Constitution," says Goodwin. Beard explains that, because federal criminal law is so severe, "one of the most difficult things is to explain to people how harsh the federal statutory and sentencing schemes really are. Our clients often think that we must be mistaken in our assessments."

But the Lubbock defenders do enjoy lighter moments. "Four years ago my children gave me a musical Christmas tie," relates Beard. "Without thinking, I wore it one morning to court and, as I approached the podium, I accidentally activated the tie's music button. Of course, the other attorneys were laughing and I was praying that the tie would stop playing 'Silent Night' before the judge heard the music. But that didn't happen. District Judge Sam

Cummings told his court security to apprehend the person responsible if the noise continued. So I told the judge that he wasn't hearing a cell phone but instead was listening to my

Christmas tie. Afterwards, he and his court staff wrote a mock 'local rule' that banned 'musical ties' from his courtroom. The experience definitely continues to influence my Holiday wardrobe."

Attorneys Helen Liggett, and recent addition David Sloan round out the office. **TTL**

EDITOR'S NOTE:

Look for Chris Hesse's coverage of the prosecutors in the Federal Courts in Lubbock in the next issue of the Texas Tech Lawyer.

By Chris Hesse

Queens Over Jacks, the Floyd Holder Story

MORE THAN 50 YEARS AGO a bad hand of cards sent Lubbock attorney and Tech Law '75 grad Floyd Holder on an odyssey that won him 20 years of military service, law school, and a growing reputation for defending high profile cases.

In April 1962, Holder was in a military convoy traveling from Fort Sill, Oklahoma, to White Sands Missile Range in New Mexico. Holder fell asleep in the front seat of his jeep and woke up on 19th Street in Lubbock. The sun was setting on the horizon, with beautiful homes on one side, Texas Tech on the other. Holder thought to himself, "My, this is a pretty town." That was his first memory of Lubbock.

But it all started much earlier than that. On February 10, 1953, Holder was set to begin the second semester of his sophomore year at Rice University.

He was in the athletic dorm playing poker. Holder smiled as he looked at his four jacks. The problem was the guy across from him who held four queens.

Holder bet and lost all of his money for school. So, he stood up, went across the street, got a hamburger, rode the bus downtown to the federal building, and joined the Army. He didn't even go back for his shaving kit or clothes.

The next day, in the Army, Holder knew he had made a mistake. He called his mother and promised her he would get out as soon as possible. After a long chain reaction including an undergraduate degree, a master's degree in Nuclear Physics, Officer Candidate School, and a stint in Germany, the first time he was able to get out of the Army was 20 years later.

He did live up to the promise that he had made to his mom.

As a soldier, in 1969 and 1970, Holder was in Vietnam as chief of intelligence operations in a corps headquarters. He kept a detailed record of the success rates of his men in regard to correct and incorrect intelligence information. He noticed that the most successful group in the unit was made up of five captains who had been to law school. They encouraged Holder to go to law school after the war, but Holder said that he was "too old."

After 20 years in the Army, Holder retired and, because he was "terrified of civilian life," chose to attend law school.

Holder took the LSAT and scored well enough (777 out of 800) to attract offers from Columbia and Chicago. But Holder wanted to be in Texas.

Despite the queens over jacks debacle, he had saved some money from poker games through his Army career. With that money, along with his pension, he was able to pay his way through law school. He didn't like the Houston weather, or Austin's high crime rate, so, with his memories of Lubbock, he decided to attend school at Tech.

As a first year student, Holder had the top grades in his class and won the Fulbright Jaworski award for his performance.

When Holder got no interviews or job offers through his three years, he got nervous. His gambling winnings were dwindling and graduation was looming. He feared that he could not compete with Lubbock's many lawyers, so he found a firm run by a friend's father-in-law in Canadian, Texas. Holder joined this firm as an associate and had plenty of legal business.

Unfortunately, Holder said, the secretary resented his arrival because it increased her workload. She soon rebelled against Holder and he found it hard to get anything accomplished.

Fed up, Holder went to his boss and said, "Boss, it's me or her." That was when Holder learned that a good legal secretary is more valuable than a rookie lawyer.

Holder then made his move to Lubbock. He and his wife, Grace, rented an office and a typewriter. He started doing a little bit of bankruptcy work; however, business was slow. To make ends meet, Holder went to the courthouse to pick up some appointments. Because of Holder's appearance as an older lawyer, the judge assumed that he was an experienced attorney. The first case he was appointed to was a murder case.

Next, he represented a small boy named "Pee-Wee" who was in trouble for stealing potato chips. By the time Holder got to trial on the murder case, he had been appointed to 20 or 30 felony cases from the court.

The new district attorney in town had a policy of no plea bargains for felonies. This meant a lot of trial experience for Holder that first year—to the tune of 25 jury trials.

He was also involved in more bankruptcy cases, which have constituted a majority of his practice over the years. Holder is best known, however, for his trial work. He tried a large number of criminal cases in those early years.

"If there was an axe murder within 100 miles of Lubbock, I had right of first refusal on it," Holder said.

Since then, Holder has been involved in many high profile cases, the most recent being the highly publicized case of Dr. Thomas Butler, the Texas Tech scientist accused of improper use and storage of plague samples. He was also involved with the Louis Jones, Jr. case. When a notable case comes through Lubbock, Holder seems to be on the defense.

He said he has not worked on anything but interesting cases, but it is hard to be successful as a defense attorney because "you simply don't win too many cases like that."

Despite the odds and his luck, Holder has been a valuable alumnus and a successful attorney. Lubbock is lucky Floyd Holder played his cards right. **TTL**

By Jon M. Rowan

Tech Law Grad

elected president of the Texas Young Lawyers' Association

LEE ANN RENO, a '94 Tech Law graduate, was elected in May as the TYLA President-elect for the 2004-2005 fiscal year. She will assume the duties of President in June 2005. Currently serving as the TYLA vice president, Reno has been on the board of directors since 2000. When asked for her initial reaction to the election results she said, "I am overwhelmingly excited and honored to be selected to lead such a wonderful organization." Thirteen members were also elected to the board of directors to represent the young lawyers in their geographical regions. Board members serve two-year terms.

Before being elected, Reno served as both TYLA vice president and secretary. She received a TYLA President's Award of Merit for 2000-2001 for her work on the Member Services Committee.

When asked for her initial reaction to the election results she said, "I am overwhelmingly excited and honored to be selected to lead such a wonderful organization."

Reno is a shareholder in the Amarillo firm of Sprouse Shrader Smith, P.C. She received a B.S. summa cum laude from Texas Tech University in 1990 and a J.D. cum laude from Texas Tech University School of Law in 1994.

Reno has been an advisor, co-chair, or member of 14 different TYLA committees. Most recently she has been actively involved in creating TYLA e-News and the online Judicial Directory. She served as president of the Amarillo Area Young Lawyers Association and was appointed chair of two national committees for the ABA Young Lawyers. She is a Life Fellow of the Texas Bar Foundation.

Reno serves on the Board of Trustees of Texas Panhandle Mental Health Mental Retardation and as a commissioner for the Amarillo Planning and Zoning Commission, and was its chair in 2002-2003. She is a past president of the Camp Fire USA Board of Directors (Panhandle Plains Council) and served on the board of Leadership Amarillo and Canyon. **TTL**

By **Brian Rogers**

PROGRAMS

The Federalist Society wants YOU...to be informed.

THE STUDENT DIVISION of the Federalist Society at Texas Tech School of Law is doing its part to ensure that law students and the public are well informed about the differing viewpoints surrounding current legal issues. Sonya Jones, incoming President of the organization, said, "We don't want our members to just agree, we want them to be well informed." During this past academic year, the Society was host to a broad array of speakers encouraging debate on issues such as gun control, the theory of evolution in our public schools, the tobacco wars, and same sex marriage.

The Society strives to provide programs that encourage its members and the public to be more active in local, state-wide, and national affairs and to contribute more productively to their communities. In an effort to stimulate debate, the organization brings a wide range of speakers, not necessarily Federalist by nature, to Tech Law.

Don B. Kates, a civil liberties lawyer and member of the Cato Institute, was one of the speakers recruited by the Federalist Society to speak at the law school. Kates discussed the Second Amendment and right to bear arms—focusing on the debate between private ownership of firearms and the original intent behind the amendment.

A large audience gathered in the law school forum for a presentation by Francis Beckwith, a professor of Church-State Studies at Baylor University. Beckwith's seminar centered on his new book, *Law, Darwinism, and Public Education: The Establishment Clause and the Challenge of Intelligent Design*. The theory of Intelligent Design is an alternative to Darwinism and suggests that life was created by an "intelligent designer." Beckwith addressed the nature of religion and evolution in relation to public schools, submitting the question of whether it would be constitutionally permissible for a teacher to pose the theory of creation alongside the theory of evolution to generate deductive thought amongst students.

Bob Levy, a member of the Cato Institute and adjunct professor at Georgetown University Law Center, also spoke at the law school. Levy's presentation centered around a paper he authored



Jeffrey Ventrella

titled "The Tobacco Wars: Extortion Masquerading as Law." Levy focused on the class action suits brought by states against tobacco companies for damages incurred by people who require extensive medical care for tobacco related illnesses at the expense of the state. As a condition to rewarding large sums of money to the states, the courts have often set conditions on the use of the funds. Levy emphasized that some states have agreed to use the money for anti-tobacco education in the state, but have instead applied the money to the state's general education fund. Levy claims that such behavior by states is extortion.

Jeffrey Ventrella, an attorney for the Alliance Defense Fund, provided a detailed analysis of *Lawrence v. Texas* and whether the Supreme Court holding justifies legalizing same-sex marriage.

By providing an opportunity for students and the public to attend presentations that encourage critical analysis of societal issues, The Federalist Society, including the student chapter at Tech Law, will continue to capture the importance of diversity and stimulating debate.

— CAMERON KRIER



Jessup Competition comes to Lubbock

TECH LAW HOSTED the 2004 Southwest Region of the Philip C. Jessup International Law Moot Court Competition February 27-29. Teams from twelve law schools came to Lubbock to compete in the regional finals.

Established in 1959 by the International Law Students Association, Jessup is the world's largest moot court competition, with more than 500 law schools from nearly 90 countries participating.

Clint Hays, a 2004 graduate who worked with the ILSA, said the event is a good way to expose students to international problems and international competitors. The winner of the regional competitions advance to the national rounds, and the winners of the national rounds advance to international rounds.

"It's basically a way to expose competitors to international law," Hays said. "It gives competitors access to professors and lawyers who deal with international law, so it's a great way to meet people in that field while working on your advocacy skills." Hays said the competition in Lubbock brought experts from all over the United States to judge. The competition also brought a high caliber of competitor.

"Teams from all over the world compete," Hays said. "Australia and South Africa always have very strong teams."

Associate Dean Richard Rosen helped put the competition together at Tech Law and said it was a prestigious event for the law school.

"We had teams from some of the top law schools from California to Kansas come out," Rosen said. "So we had exposure to them, and it introduced students and faculty from other places to us." Rosen said Stanford, UCLA, the University of Kansas and the University of Oklahoma were among the competitors.

Rosen said Tech Law faculty judged the briefs before the teams arrived. At the event, faculty and alumni came out to judge the oral arguments. He said some of the country's top military lawyers, along with outstanding members of the local bench and bar, judged rounds. Because this year's topic dealt with war crimes and the International Criminal Court, in mock arguments before the International Court of Justice, Rosen said military and international law experience was helpful. And the Tech Law reputation of excellence in oral advocacy brought out attorneys to judge on the performances as well as the substantive law.

"We heard a lot of compliments about the judging" Rosen said. "To be blunt, the quality of judges at this thing blew the competitors socks off."

BY BRIAN ROGERS

Alexander Sanger visits Tech Law

On April 29, Texas Tech University School of Law Women's Law Caucus hosted the visit of Alexander Sanger, grandson of Margaret Sanger, who founded the birth control movement over 80 years ago. He was in Lubbock to discuss his book – "Beyond Choice" – about the debate over abortion and why he comes down on the pro-choice side. Mr. Sanger's unique perspective on this important legal issue produced an interesting and educational presentation that was followed by a question and answer session in the forum.

Mr. Sanger holds J.D. and M.B.A. degrees from Columbia University, and an LL.M. degree from NYU. He received his bachelor of arts degree from Princeton. Mr. Sanger speaks throughout the world as a Goodwill Ambassador for the United Nations Population Fund.

HEALTH LAW: A MEETING OF THE PROFESSIONS

A FINE LINE ONCE EXISTED between the traditional professions of law and medicine. More and more, that fine line has been blurred as legal issues have presented themselves beyond the courtroom, and into the operating room.

Much emphasis has been placed on medical malpractice recently, but the various avenues available in health law were discussed by Tech Law Alumni Stephanie Warnock '02, Marlo Holbrooks '98, Robert McStay '95 and Dana Garay '98 on April 1 at the Law School during a forum hosted by the Health Law Association.

According to Health Law Association President Julie Sladick, the organization strives to expose students to the various legal roles that relate to health care and has been instrumental in adding health related courses to the law school.

Discussing the areas of personal injury, compliance, malpractice, and guardianships, the alumni presented the paths that led them to a career in health law to a student audience.

Warnock, who is currently employed as a nurse consultant for a law firm in Lubbock, was employed as a nurse for four years before entering law school.

Garay wanted a change from the hospital environment, which can sometimes be hostile toward nurses. As an associate general counsel with the Texas Tech Health Sciences Center, she practices malpractice defense and serves as an advisor to the HSC in matters of health law and risk management. In addition, Garay is an adjunct professor at the School of Law.

"I was frustrated with administrative problems," Garay said. "There is more to life than working in a hospital."

Holbrooks and McStay, who did not have previous medical training, entered the field after developing an interest in health law. Holbrooks is a Regional Attorney with the Texas Department of Family and Protective Services designated for the Adult Protective Services division of that agency. McStay is the Business Practices and Entity Practices Officer who is responsible for Medicare and Medicaid compliance at the Methodist Hospital System in Houston.

"Healthcare is such a highly regulated environment," McStay said. "You need to have structure in place to make sure people are following the rules."

BY OMAR VILLA



TECH LAW HOSTS SARAH WEDDINGTON

SARAH WEDDINGTON WILL TELL YOU the truth about her life flat out: "My colleagues may have made money, but I made history." On March 4, Weddington gave a casual yet inspiring talk to a group of Tech Law students describing the study of law as "the wind beneath (her) wings."

Fours years after graduating from law school, Weddington argued a case before the Supreme Court. She argued on behalf of "Jane Roe" who was prevented from having an abortion by the State of Texas. "The day I argued Roe, the members of the press probably thought I was so young that I was unlikely to win." Weddington presented an argument to the Supreme Court that day based on a simple premise: reproductive rights are fundamental rights, and although they are not specifically outlined in the constitution, they should be protected by the courts. By a 7-2 decision, the court agreed.

Weddington has lived in the public eye for more than thirty years now. She has received both praise and scorn from the American public. She has fought for women's rights in the Texas legislature, on Capitol Hill, in the courts, and in the court of public opinion. Today she inspires others through the Weddington Center, her own organization dedicated to creating new leadership in women and minorities. In her closing remarks, Weddington called upon the listening law students to be leaders, not just lawyers, because "leaders, as stars, illuminate and influence in all directions."

BY THOMAS FEIGHNY



TECH LAW HOSTS PANEL DISCUSSING ABU GHRAIB PRISONER ABUSE ISSUE

A WHO'S WHO OF MILITARY LAW assembled in the law school forum at Texas Tech May 25 along with an expert in psychiatry to discuss issues relating to the recent Abu Ghraib prisoner abuse issue, military justice and intelligence needs. Presented by the Center for Bio-defense, Law and Public Policy at the Texas Tech School of Law, the title of the panel discussion was "The Rule of Law...Treatment of Prisoners v. Urgency to Gain Intelligence."

Panel members from Texas Tech School of Law included Dean Walter Huffman, Professor Daniel Benson, Professor Calvin Lewis, Associate Dean Richard Rosen and legal practice Professor Kimberly Phillips. Randolph B. Schiffer, M.D., the Chair and

Professor of the Department of Neuropsychiatry at the Texas Tech University Health Sciences Center rounded out the panel.

Huffman opened the dialogue by giving a general overview and asking the question, "Who is responsible?" and more to the point, "Where were the lawyers?" He went through a chain of command drawn out on a chalkboard from President George W. Bush all the way down to the

soldiers implicated in the scandal.

Huffman concluded that the breakdown probably occurred at the point where officers did not have much consultation with attorneys, although he resisted laying blame on any one person.

Huffman then yielded the floor to Professor Lewis who gave his perspective on military criminal justice. Huffman said he knew Lewis was an expert in military law because the two men shared a tent for six months during the first Persian Gulf War.

Lewis and Kimberly Phillips also spoke on the importance of attorneys and chain of command in overseas military operations.

Dean Rosen was the most emphatic about what had happened in the prisons. "Did these acts constitute torture," Rosen asked the crowd. "This is a no brainer. Of course they do." Rosen said the activities were probably covered under a United Nations Treaty; however, he said the matter was probably not within the jurisdiction of the International Criminal Court because the United States is investigating it and prosecuting it.

Professor Benson summed up the military point of view, and talked about being a defense lawyer in the military. Dr. Schiffer fleshed out the psychological issues surrounding the event.

Law student Casey Paige Sheriff, who attended the event, said it was, "interesting, intriguing and perplexing." She said, "The seminar, although important for the information presented, was surprising because of the vast experience our professors have in military matters."

BY BRIAN ROGERS

WALTER B. HUFFMAN, M.E.D., J.D.

Major General, U.S. Army (retired)
Former Judge Advocate General, U.S. Army
Dean and Professor, School of Law

DANIEL BENSON, M.A., J.D.

Former Major, U.S. Army JAGC
Horn Professor, School of Law

CALVIN LEWIS, J.D.

Colonel, U.S. Army (retired)
Former Military Judge
Professor, School of Law

KIMBERLY PHILLIPS, J.D.

Lt. Comm., U.S. Navy Reserves, JAGC
Professor, School of Law

RICHARD ROSEN, J.D., LL.M.

Colonel, U. S. Army (retired)
Former Commandant, The Judge Advocate
General's School
Associate Dean, School of Law

RANDOLPH B. SCHIFFER, M.D.

Former 1st Lt., U.S. Marine Corps
Chair and Professor, Department of
Neuropsychiatry
The Vernon and Elizabeth Haggerton Chair in
Neurology
Texas Tech University Health Sciences Center

PROFESSOR VICTORIA

SUTTON is the director of the Center for Bio-defense, Law and Public Policy at the Texas Tech School of Law, which put on the event. "Professor Sutton does a great job of putting events like these together," Associate Dean Richard Rosen said.

Sutton was recently quoted in an article titled, "In War on Pathogens, Our Defenses Are Down" in the May 23, 2004 edition of the LA Times.

Adjunct Lectures on Trans-Atlantic Relations In The Age Of Terrorism

ADJUNCT PROFESSOR and Texas Tech Law Alumnus Paul Stafford lectured students and faculty April 8 about his experiences in Europe during the summer of 2003. He discussed what he had learned about trans-Atlantic relations as they exist today. Stafford was one of sixty Americans chosen to represent the United States in the German Marshall Fund exchange program with Europe, which was created after World War II in an effort to foster better trans-Atlantic relations.

When he traveled, Stafford often heard from Europeans that they were "mortified" by the U.S. response to 9-11, but he said that, "they presented no alternatives when pressed." He explained that there is an extreme deficiency of understanding between the two continents.

At the core of the miscommunication seems to be a lack of European understanding of the U.S. mentality and intent, especially regarding the 9-11 attacks.

Stafford traveled to Brussels where he met with representatives of the European Union, and then to Amsterdam to see the Hague, Dutch Parliament, the International Court of Justice, and International Criminal Court. From there he went to Rome to see their parliament and meet with officials. He went on to Slovakia and ultimately to Paris. Along the way he spoke with both citizens and government officials, giving him the opportunity to learn more of the European perspective on the U.S. and world events.

Stafford talked about the history behind U.S.-European relations, and said strife between the U.S. and Europe is nothing new; it has "always been stressed." Now, in an age of terrorism, clear enemies that once strengthened the relationship against a

common foe are no more. Today we fight, not a common foe, but a nebulous, undefined enemy. Such "blurred lines cause new friction." Further, Stafford said, "the U.S. is now a mono-power" rather than having an equal "counter" to balance that power, as Russia once did, which "causes tension" as well.

Stafford said that the atrocious terrorist attacks on March 11, 2004 in Madrid may force the people of Europe to reexamine the common position on the war on terror which is "no longer a U.S. only ... but global problem."

In response to a question from Dean Walter Huffman, Stafford said that he found the International Court of Justice to be "a lost opportunity" and is instead, "primarily symbolic." He explained that it is "designed to handle international disputes" and parties in the court can only be nations. He added, "Al-Queda is not a nation"; further, he said that individuals such as Bin Laden who commit international crimes cannot be brought to trial in the International Court of Justice. Stafford said that, although it was very attractively designed, so much should be happening there that is not; he said that so many "disputes need to be heard, but can't currently" and added that the International Court of Justice is "a good institution, but needs work in changing times such as these."

BY JENNIFER DOAK

VISITING PROFESSOR SPEAKS ON PROTECTING WORKS OF CULTURAL SIGNIFICANCE

ARE DINOSAUR BONES just dirt? Should Franz Kafka's executor have destroyed Kafka's papers as he was instructed to? How long should it take to translate the Dead Sea Scrolls?

These are some of the questions posed by Professor Joseph L. Sax on March 29 in the Law School Forum in his lecture, "Our Common Heritage: What You Can't Own, and Why You Can't Own It."

"The rule is that you can own just about anything," Sax said. "With the exception of human beings, you can buy and own just about anything. And as long as you don't harm anybody, you can do anything you want with it."

This would include throwing priceless pieces of art into the furnace, Sax said. Or denying the public any access to the works, "And that is the problem."

In his book, *Playing Darts with a Rembrandt: Public and Private Rights in Cultural Treasures*, Sax argued that collectors who deny the public access to great works of art or national treasures or archeological finds are doing a disservice to mankind as a whole.

According to the book, Sax proposed that an owner of such works becomes "a fortunate, if provisional, trustee, having no right to deprive others who value the objects as much as they do themselves."

During his lecture, Sax traced the concept of common heritage from Greek times to the end of the French revolution, when the Louvre was changed from a palace to a public museum, to modern times in America where, "there is no notion whatever of an obligation to make these things available to the public."

Sax visited Tech Law for two days as part of the national Order of the Coif Distinguished Visitor Program. He is the James H. House and Hiram H. Hurd Professor of Law at the University of California at Berkeley. Sax also visited with several property classes and spoke on water law.

In introducing Sax, Dean Walter Huffman said Sax is widely regarded as the dean of America's environmental law scholars. "It is an extreme honor to have someone of his caliber come here," Huffman said.

BY BRIAN ROGERS

Texas Tech University College of Education names Dean Huffman Distinguished Alumnus for 2004



The Texas Tech University College of Education recognized Texas Tech University School of Law Dean Walter B. Huffman as a Distinguished Alumnus for 2004 at the Annual Awards Dinner May 4, 2004. This recognition is conferred on individuals who have demonstrated a long-term commitment to the advancement of the education profession.

Faculty Transitions

Farewells

TECH LAW HOSTED a farewell reception honoring three well-loved professors who said good-bye to Tech Law after the spring semester.

"We'll miss these three," Dean Walter Huffman said. "All of them have made significant contributions to Texas Tech and to their areas of law. We wish them all best in their future endeavors."

Daniel H. Benson, the Paul Whitfield Horn Professor of Law, retired from teaching after 31 years at the law school. He and his wife Pat will remain in Lubbock. Benson has also agreed to remain at the law school teaching specialty classes.

Professor Daisy Hurst Floyd took over as Dean of the Walter F. George School of Law at Mercer University in Macon, Georgia. She was at Tech from 1991 until this spring.

Timothy W. Floyd, the J. Hadley Edgar Professor of Law, is also going to Georgia. Mr. Floyd taught at Tech Law from 1989 to 2004. The Floyds both graduated from the University of Georgia School of Law.

The reception, on Thursday, April 29, in the Forum attracted many well-wishers including faculty, alumni and students.

Welcomes

REPLACING PROFESSOR BENSON and the Professors Floyd, as well as Professor Dallas Lee who retired late last year, are three professors who are new to Texas Tech, and one professor moving from the Legal Practice faculty to the doctrinal faculty.

Professor Sonya Garza, who was a member and an editor of the Law Review at Stanford, joins us from the Houston office of Fulbright and Jaworski.

Professor Jarod Gonzalez, a summa cum laude graduate of Oklahoma University's law school, joins us from the Dallas office of Thompson and Knight. Professor Ann Graham, a Texas Tech undergrad who holds a law degree from the University of Virginia and a Certificate in International Banking and Economics from Cambridge, joins us from a stellar career in commercial and banking law.

Moving from the legal practice faculty is Professor Angela Laughlin, a graduate of Northeastern University's Law School who has established a reputation for excellence in the classroom during her time at Tech. Joining the legal practice faculty are Rosemary Dillon, coming from the University of New Mexico School of Law, and Kim Phillips, formerly a visiting legal practice professor.

Huffman said he was "extraordinarily pleased with the quality and credentials of the new faculty members."

"They have big shoes to fill," Huffman said, "But I'm quite confident that these new faculty members will continue, and in fact enhance, the standard of excellence that has marked the Tech Law faculty since the founding of our law school."

BY BRIAN ROGERS

FOOTNOTES

RECENT PUBLICATIONS BY ALUMNI & LAW PROFESSORS / COMPILED BY ROBERT HU

BRYAN CAMP

Form Over Function in Fifth Circuit Tax Cases, *Texas Tech Law Review* 34 (Winter 2003): 733-798.

Should Experience in Tax Practice Be a Prerequisite for A Positive Tax Section Recommendation for Appointment to the U.S. Tax Court? *ABA Section of Taxation News Quarterly* 22 (Summer 2003): 15-16.

(Chapters 8, 10 & 12 of) *Federal Tax Practice and Procedure*. New York: Matthew Bender, 2003.

Tax Administration As Inquisitorial Process and the Partial Paradigm Shift in the IRS Restructuring and Reform Act of 1998. *Florida Law Review* 56 (January 2004): 1-133.

WILLIAM CASTO

Two Advisory Opinions by Chief Justice Oliver Ellsworth, *GREEN-BAG* 6 (2003).

J. WESLEY COCHRAN

Gaming Law: Cases and Materials. Newark, NJ: LexisNexis, 2003.

LARRY CUNNINGHAM

Kids Say the Darndest Things: The Law of Juvenile Confessions in Texas. *Lubbock County Juvenile Boards's Seminar: CLE for Lawyers Practicing Juvenile Law*, (November 14, 2003).

GABRIEL ECKSTEIN

A Hydrogeological Approach to Transboundary Ground Water Resources and International Law: *American International Law Review* 19 (2003) 201-258.

Water Organizations and Library Resources: Research Organizations Related to Agricultural Water Use: *Encyclopedia of Water Science*, New York, NY: Marcel Dekkar, 2003.

Ground Water Resources and International Law in the Middle East Peace Process. *Water International* 28 (June 2003): 154-161.

A Hydrogeological Approach to Transboundary Ground Water Resources and International Law. *American University International Law Review* 19 (2003): 201-258.

DAISY HURST FLOYD

Reclaiming Purpose -- Our Students' and Our Own. *The Law Teacher* (Spring 2003): 1-2.

SUSAN SAAB FORTNEY

I Don't Have Time to Be Ethical: Addressing the Effects of Billable Hour Pressure. *Idaho Law Review* 39 (2003): 305-319. (Symposium Issue).

High Drama and Hindsight: The LLP Shield, Post-Andersen, *Business Law Today* 12 (January/February 2003) 46-49.

KAY G. HOLLOWAY

Interactive Citation Workbook for the Bluebook: A Uniform System of Citation. 2003 ed. Danvers, MA: Matthew Bender, 2003.

Interactive Citation Workbook for ALWD Citation Manual 2003 ed. Danvers, MA: Matthew Bender, 2003.

JOHN KRAHMER

Commercial Transactions. *SMU Law Review* 56 (Summer 2003): 1255-1282.

Vernon's Texas Code Forms Annotated: Uniform Commercial Code Forms. 3rd ed., Volumes 1 & 2 (Supplement). St. Paul, MN: West, 2003.

Texas Practice, Methods of Practice: Commercial Transactions. Volume 12 (Supplement). St. Paul, MN: West, 2003.

The Texas UCC Article 9 Resource Disk. 2004 ed. Lubbock, Texas: Texas Tech Law School Foundation, 2004.

BRUCE M. KRAMER

Recent Developments in Zoning and Planning, 2003 *Institute on Zoning, Planning & Eminent Domain*.

Interpreting the Royalty Obligation by Looking at the Express Language of the Lease: What a Novel Idea?, *Rocky Mountain Mineral Law Foundation Special Institute on Royalties* (Sept. 2003) 4-1-- 4-30.

Drilling in the Cities and Towns: Rights and Obligations of Lessees, Royalty Owners and Surface Owners in an Urban Environment, *University of North Texas Professional Development Institute*,

National Royalty Conference (Oct. 2003). CD-Rom.

Manual of Oil and Gas Term: Annotated manual of Legal, Engineering, and Tax Words and Phrases. 12th ed. Newark, NJ: LexisNexis, 2003.

2003 Supplement to Martin & Kramer, *Williams and Meyers Oil and Gas Law*. New York, NY, LexisNexis.

2003 Supplement to Kramer & Martin, *The Law of Pooling and Unitization*. New York, NY, LexisNexis.

Current Decisions on State and Federal Law in Planning and Zoning, in *The Thirty-Third Annual Institute on Planning, Zoning and Eminent Domain*, Publication 631, Release 33, Matthew Bender & Co., 2003.

MARILYN E. PHELAN

Chapter: A Comprehensive Legal Regime for the Protection of Underwater Cultural Heritage. In *Legal Perspectives on Cultural Resources*. AltaMira Press, 2003.

Nonprofit Organizations Law and Policy. St. Paul, MN: West Publishing, 2003.

Chapter 7: A Comprehensive Regime for the Protection of Underwater Cultural Heritage, by Marilyn E. Phelan and Marion P. Forsyth, in *Legal Perspectives on Cultural Resources*, edited by Jennifer R. Richman and Marion P. Forsyth. Walnut Creek, CA: AltaMira Press, 2004.

JORGE A. RAMIREZ

International Law Impacts Texas and the Texas Tech School of Law Responds. *Texas Tech Law Review*, 35 (2004): 265-268.

Iraq War: Anticipatory Self-Defense Or Unlawful Unilateralism? *California Western International Law Journal*, 34 (Fall 2003): 1-27.

Rules of Origin: NAFTA's Heart, But FTA's Heartburn. *Brooklyn Journal of International Law*, 29 (2004): 617-662.

BRIAN D. SHANNON

Dancing with the One that "Brung Us" -- Why the Texas ADR Community Has Declined to Embrace the UMA.

Journal of Dispute Resolution 2003 (2003): 197-220.

NANCY SOONPAA

Whom Are We Teaching? Independent Students Who Defy Categorization. *The Second Draft* 18 (2003): 7-8.

Fifth Circuit Survey: Civil Rights Cases. *Texas Tech Law Review* 34 (2003): 597 - 648.

What Are We Teaching? Competence and Confidence. *The Second Draft* 17 (July 2003): 1, 4.

LARRY R. SPAIN

Collaborative Law: A Critical Reflection on Whether a Collaborative Orientation Can Be Ethically Incorporated Into the Practice of Law. *Baylor Law Review*, 56 (2004): 141-173.

VICKIE SUTTON

Biodefense -- Who's In Charge? *Health Matrix: Journal of Law-Medicine* 13 (2003): 117-158.

Federal Regulatory, State Statutory and Tort-Based Problems in Research Involving Informed Consent with the Alzheimer's Disease and Dementia Patient. *Alzheimer Disease and Associated Disorders Journal* 17 (2003): 31-36.

Law and Bioterrorism. Durham, NC: Carolina Academic Press, 2003.

The George W. Bush Administration and the Environment. *Western New England Law Review* 25 (2003): 221-242.

The Terrorist's Arsenal: Understanding Weapons of Mass Destruction. *The Politic*, Yale College's Journal of Politics (online), May 13, 2003.

Law and Science Drive Technology in the War Against Bioterrorism. *Technology in Society: An International Journal* 26 (April/August 2004): 281-301.

RACHEL VAN CLEAVE

"Death is Different" Is Money Different? Criminal Punishments, Forfeitures, and Punitive Damages -- Shifting Constitutional Paradigms for Assessing Proportionality. *Southern California Interdisciplinary Law Journal* 12 (2003): 217-278.



Photo by Thomas Leonard

First Taste of Tech Law

ACCEPTED STUDENTS WEEKEND presented incoming law students with their first taste of Texas Tech School of Law – the taste of chili.

The annual Chili Cook-Off was held March 27 at the Texas Tech Frazier Alumni Pavilion. Faculty and staff of the law school volunteered to judge the chili prepared by nine school organizations. Assistant Registrar Kathy Womble, Professor

Jennifer Bard, and Liam Good, the eight-year-old son of Stephen Good, a law-school librarian, bestowed winning honors upon the *Texas Tech Lawyer* team.

"I was surprised we won," Brian Rogers, editor-in-chief of the *Tech Lawyer*, said.

"After all, the other organizations worked really hard on their chili. We just had canned chili simmering, so that we would have a presence at the event."

The Environmental Law Society snatched the second place prize with its

"I was surprised we won," Brian Rogers, editor-in-chief of the *Tech Lawyer*, said. "After all, the other organizations worked really hard on their chili. We just had canned chili simmering, so that we would have a presence at the event."



Photos by Thomas Leonard

The goal of the Chili Cook-Off is to welcome accepted students to the law school. Current students, family, friends and pets attend the Cook-Off and sample all the chili prepared by various school organizations.

vegetarian chili.

"We believe our chili did well because it was not as heavy as some of the others," Member Kayla Murray said. "It also had special ingredients in it to make it sweeter."

The goal of the Chili Cook-Off is to welcome accepted students to the law school.

Current students, family, friends and pets attend the Cook-Off and sample all the chili prepared by various school organizations. Rogers said that the prospective law students seemed to be more impressed with the fun atmosphere of the catered event than with taste-testing chili.

"Talking to incoming students reminded me of why I came to law school in the first place," Greer Ackley, Tech Law student, said. "Their enthusiasm was incredible!"

"I loved participating in Chili Cook-Off because it is a great way for the students and faculty to get to visit in a more relaxed atmosphere," Dina Hardwick, a Tech Law student, said. "Also, it is a wonderful opportunity to show prospective students how much we enjoy Tech Law."

BY AMY SIMPSON

BOARD OF BARRISTERS HAPPENINGS

ANNOUNCING THE BOARD OF BARRISTERS 2004-2005 EXECUTIVE BOARD:

CHAIRMAN — Marc Chavez

VICE CHAIRS

MOCK TRIAL — Jennifer Southard

MOOT COURT — Brandon Benoit

NEGOTIATIONS — Marci McClellan

CLIENT COUNSELING — Christine Stroud

ADMINISTRATION — Lanisa Agnew

JUDGES — Franklin McDonough

THIS YEAR HAS BEEN HOST to numerous exhibitions of Tech Law's commitment to fostering the development and growth of advocates. Student participation, and success, in Board of Barristers Intraschool and Interschool Competitions has been strong this year.

Most recently, Texas Tech Law students took part in the 2004 Texas Young Lawyers Association State Moot Court Competition, June 22-24 in San Antonio. This year's team consisted of Brandon Barnett (Oralist), Amy Hardberger (Oralist), Baron Oursler (Briefwriter), and, of course, Don Hunt (Coach). After eight rounds of competition, the team finished 3rd overall. Amy Hardberger was awarded 3rd Best Oralist; Baron Oursler was awarded 3rd Best Brief.

Competition Results 2003-2004 Academic Year

INTRASCHOOL COMPETITIONS

*denotes competition winner

ADVANCED CLIENT COUNSELING

*Rachel Khirallah
Courtney Miller
*Kenneth Stogdill
Kelly Decker

1L CLIENT COUNSELING

*Brandon Hill
Leslie McCrary
*Gara Hill
David Iglesias

LONCAR AND ASSOCIATES ADVANCED NEGOTIATIONS

*Jennifer Southard
Rachel Khirallah
*Will Petit
Kenneth Stogdill

1L NEGOTIATIONS

*Brad Anderson
Laura Richards
*Bryan Russ
Greer Ackley

JOSE, HENRY, BRANTLEY, KELTNER ADVANCED FALL MOCK TRIAL

*Marc Chavez
Lanisa Agnew
*Melissa Morgan
Forrest Beadle

SCOTT, HULSE, MARSHALL, FEUILLE, FINGER AND THURMOND ADVANCED SPRING MOCK TRIAL

*Lauren Gaston
Baron Oursler
*Kelly Gregan
Jennifer Southard

MEHAFFY AND WEBBER 1L MOCK TRIAL

*Brad Anderson
Gara Hill

*Bryan Russ
Brandon Hill

JACKSON WALKER FALL ADVANCED MOOT COURT

*Rachel Khirallah
Amy Hardberger
*Kenneth Stogdill
Austin Jackson

ADVANCED SPRING MOOT COURT

*Addie Malone
Brandon Benoit
*Steve Anderson
Franklin McDonough

1L MOOT COURT

*Cynthia Goodman
Derek Montgomery
*Brandy Criswell
Chad West

INTERSCHOOL COMPETITIONS

JOHN MARSHALL MOOT COURT

National Champion Team:
Chad Edgington, Shannan Goss,
Steve Anderson
Coach: Don Hunt

FALL NATIONAL MOOT COURT

Team: Addie Malone, Austin Jackson,
Mark DesNoyer
Coach: Don Hunt

ABA NATIONAL APPELLATE ADVOCACY

Western Regional Champion Team:
Chad Edgington, Shannan Goss, Steve
Anderson, Addie Malone, Austin Jackson,
Mark DesNoyer
Coach: Don Hunt

TEXAS YOUNG LAWYERS ASSO- CIATION STATE MOOT COURT (2003)

Team: Stacy Lawler, Austin Jackson,
Mark DesNoyer
Coach: Don Hunt

JESSUP INTERNATIONAL LAW MOOT COURT

Team: Matthew Belcher, Justin Mock, G.

Jobe Rodgers, Christiaan Siano, Erica
Wheatley
Coaches: Charles Bubany and Jorge
Ramirez

TEXAS YOUNG LAWYERS ASSO- CIATION STATE MOCK TRIAL

Team: Katholyn Runnels, Vanessa
Heinhold, Marc Chavez, Melissa Morgan
Coaches: Don Hunt and Murray Hensley

WILLIAM DANIEL NATIONAL INVITATION TRIAL COMPETI- TION

Team: Katholyn Runnels, Rachel Clark,
Lanisa Agnew, Melissa Morgan
Coaches: Murray Hensley and Dick Baker

AMERICAN TRIAL LAWYERS ASSOCIATION NATIONAL TRIAL ADVOCACY

Team: Erin Odle, Lanisa Agnew, Sean
Kilgore, Brennon Gamblin, Forrest
Beadle, Brandon Benoit, Rachel
Khirallah, Meredith Dinkins
Coaches: Murray Hensley and Dick Baker

ABA NATIONAL NEGOTIATION

Team: Vanessa Heinhold, Brandon
Benoit, Christine Stroud, Danny Smith,
Franklin McDonough, Timothy York
Coach: Nancy Soonpaa

ABA NATIONAL CLIENT COUNSELING

Team: Kelly Gregan and Lauren Gaston
Coach: Larry Spain

NATIONAL TAX MOOT COURT

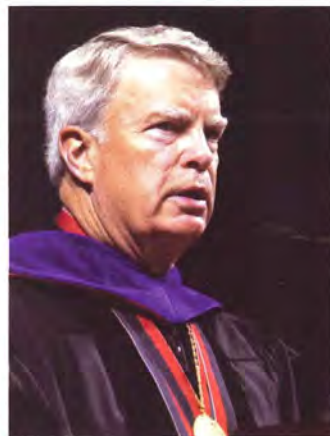
Team: Jay Miller, Justin Myers, Matt
Ribitzski
Coach: Bryan Camp

NATIONAL EMPLOYMENT LAW MOOT COURT

Team: Matthew Aiken, W. Cade Lovelace,
G. Scott Coleman
Coach: Angela Laughlin

BANKRUPTCY MOOT COURT

Team: Heather Surratt, Emily Newhouse,
Clint Hayes
Coach: Dean Pawlowic and Larry Doss



Tech Law graduates the Class of 2004

THE SETTING WAS FAMILIAR: the graduation robes, the faculty procession, pomp and circumstance. But on this day, the students sitting in the chairs were receiving something for which they had slaved for three years – a law degree.

Texas Tech University School of Law graduated 177 law students into the legal profession at the hooding ceremony on May 15, 2004. The ceremony took place at the United Spirit Arena, across the street from the law school.

After an introduction by Dean Walter Huffman, Karen Tandy, a 1977 graduate of the Texas Tech University School of Law, addressed the graduates. In 2003, Tandy became the first woman to be appointed to the top position of a federal law enforcement agency when she became Administrator of the Drug Enforcement Administration in Washington, D.C. Before her appointment, she was Associate Deputy Attorney General and Director of the Organized Crime Drug Enforcement Task Force.

In her speech, Tandy recounted her experiences over the years in different places and emphasized to the graduates that ordinary people do extraordinary things every day. Because of the new

graduates' position, she said, they had the chance to make an even bigger difference in their community.

Following the main address, Associate Dean Brian Shannon began reading the names of the students that were to be hooded, encouraging friends and family to cheer on the graduates for their

Texas Tech University School of Law graduated 177 law students into the legal profession at the hooding ceremony on May 15, 2004.

accomplishments. Adjunct Professor Charles Bubany, as well as other law school professors and lawyers chosen by the students, helped hood the graduates.

Danny Smith made the farewell remarks for the class of 2004. The ceremony was followed by a reception in the south end of United Spirit Arena where students and faculty took pictures and celebrated with family and friends.

BY LAUREN KLINGER

Reaud donates \$300,000 for scholarships

DISTINGUISHED ALUM Wayne Reaud donated funds to set up two endowed scholarships for future students of Tech Law. The two scholarships, in the "West Texas Legal Legends" endowed scholarship category will be named for Travis Shelton and Frank Newton.

"This very generous gift once again demonstrates Mr. Reaud's love and support for the Texas Tech School of Law and its students," Dr. Russ Gibbs said. Gibbs is the Tech Law development officer.

Reaud's \$300,000 donation, along with matching funds of \$200,000 from Texas Tech will be used to set up the "West Texas Legal Legends" scholarship fund.

According to the contract, "West Texas Legal Legends" will be inscribed on an appropriate marker and displayed in a prominent location in the law school. Plaques of honor will be created honoring Mr. Shelton and Mr. Newton. The plaque currently honoring John F. "Buddy"



Distinguished Alum Wayne Reaud

Maner will also be displayed under the "West Texas Legal Legends" marker. Tech Law Alumni & friends will have the opportunity to honor other prominent West Texas attorneys with scholarship endowments as part of the "West Texas Legal Legends."

The Shelton and Newton scholarships

will be used to attract and retain outstanding students at the law school. Student recipients of the scholarships will be selected by the scholarship committee at the law school based on the student's academic promise and commitment to service.

BY BRIAN ROGERS

Tech Law Review hosts the 2004 National Conference of Law Reviews

THE TEXAS TECH LAW REVIEW played the role of host as law reviews and journals from across the nation gathered in San Antonio on March 24 for the 2004 National Conference of Law Reviews (NCLR).

The conference was attended by 130 law reviews and journals and more than 400 editors, vendors, and speakers from across the nation. Behind it all was the Texas Tech Law Review, which was selected three years ago through a bidding process, to host the four-day conference.

Outgoing NCLR chair and '04 graduate Jennifer Meriwether was one of the main organizers and, along with the law review

executive board and staff, was in charge of planning everything from keynote speakers and panel discussions to the food served at the various banquets.

"I think it turned out great, and we had really positive feedback from everyone who attended the conference," Meriwether said. "People were left with a good impression of Texas Tech, and it was a very good experience for all who attended."

"[Jennifer] did an absolutely fantastic job of coordinating this event," William Petit, incoming law review editor-in-chief, said. "There were a lot of compliments, and on more than one occasion, I heard folks saying that this was the best conference they had attended."

Texas Tech was well represented at the conference, with about 20 members of the law review in attendance, including most of the incoming executive board. The Texas Tech Administrative Law Journal also sent its incoming executive board to the conference.

Incoming ALJ Student Articles Editor Tametha Barker said the conference gave them the opportunity to receive training on how to put together a quality legal journal.

"It was a privilege for the ALJ Executive Board to be able to attend," Barker said. "We gleaned many ideas from the panel dis-

COLUMN

TECH LAW TECHNOLOGY UPDATE

THERE'S A NEW DRIVING FORCE behind the Texas Tech School of Law, and that force is technology.

In the past year, there have been some dramatic changes in the use of computers at the law school. Now that students can get discounts on laptops from Dell, computer use in the classroom has exploded and has been expanded to allow laptop use during exams, provided the student uses the school's exam software. To facilitate the computer use, power outlets have been installed in the desks in every classroom. Some of these flip-up outlets are also equipped with Ethernet connections.

The Ethernet connections get little use, however, because of another big update. The law school is now fully covered by wireless internet. Students can surf the web and check their e-mail from any of the classrooms and any part of the library by using the wireless network.

Internet access has become an absolute must for law students. Class and organization announcements are sent out almost exclusively by e-mail. Training in using both the WestLaw and Lexis-Nexis online research systems is a fully integrated part of the Legal Practice courses.

The biggest leap forward, however, has been the addition of online registration beginning with the 2004-2005 courses. Dan Dean and Pradeep Frederick from the Information Technology Department worked hard to have this system ready for registration in April. Students were able to register for courses and participate in add/drops all on their own. The wait lists for courses are now fully automated, ensuring that the lists are compiled with complete accuracy with respect to who signed up when.

The Texas Tech Lawyer Executive Board and staff invite you to explore our site, which is located at <http://www.studentweb.law.ttu.edu/lawyer/> or found by going to the law school's web site at <http://www.law.ttu.edu>, clicking on "Current Students," then on "Student Organizations," and finally on "Alumni Magazine."

The law school website has undergone a rapid expansion, with many student organizations adding their own sites. As a student organization, the *Texas Tech Lawyer* Alumni Magazine is trying to stay on the forefront of technology. As the Technology Manager, I have already dramatically upgraded our website and in the near future all of our issues will be available in electronic form on the web site.

Because technology is constantly changing

and improving, the law school will continue to update and change. There are many changes already in the works, including an improved mechanism for the creation of student organization websites and a student message board for discussions and announcements. Undoubtedly, the technology of the future will continue to shape the technological advancements at the law school as well as improve the lives of the students, faculty, staff, and alumni.

Mark Methenitis is the Technology Manager for the Texas Tech lawyer. His column appears as an update of the increasingly wired world relating to the law school.

Comments or suggestions for Alumni Website features? We'd love to hear from you! Please e-mail mmetheni@law.ttu.edu.

BY MARK METHENITIS

A NEW ALUMNI WEBSITE IS CURRENTLY IN THE WORKS, SO KEEP AN EYE OUT FOR:

- A new credit card based donation system
- An online Class Notes submission form
- An automated address update form
- An alumni message board for keeping in touch with classmates and planning get-togethers

ussions and key-note speakers on how to publish an outstanding legal journal that will be implemented in Volume VI." She said. "It was a valuable experience that we enjoyed immensely."

The theme of the conference was "Writing into the International Arena." Speakers at the conference included: Texas Tech Law School Dean Walter Huffman; Judge Edward Prado, a Circuit Judge on the U.S. Fifth Circuit Court of Appeals; Judge Royal Ferguson, a U.S. District Judge for the Western District of Texas; Brigadier General Thomas L. Hemmingway, a legal advisor to the Appointing Authority in the Department of Defense Office of Military Commissions; and two other Texas Tech faculty members, Associate Dean Brian Shannon and Director of International Programs Jorge Ramirez.

"[The speakers] weren't really there to talk about the importance of law review as much as they were talking about timely issues – things that are affecting the political scene today," Kenneth Stogdill, incoming law review business manager, said. "It was more of a discussion of timeliness and issues that they believed would need to be addressed in the upcoming years by the [law] reviews."

One of the activities participants enjoyed most was a team-building exercise at Knibbe Ranch. The review and journal staffs

were apportioned among 14 "tribes" and given several tasks, including building a tee-pee, preparing a meal, and hauling water. The activity was not a competition between tribes, but instead, it taught cooperation, which Petit said was a good analogy to the responsibility and mission of a legal publication.

"We were actually all working together to build a community," Petit said. "It kind-of went along with the whole theme of the conference, in that we [are] working together to promote scholarly and academic work," he said. "We're not working against other journals to try to be the top journal in the nation or anything like that."

Along with speakers, participants attended job-specific panel discussions led by out-going executive board members from various publications. Petit said the panel discussions were a great way to learn more about a specific job by questioning student leaders who had dealt with similar problems and issues.

"You had out-going executive board members from probably 70 of the 130 journals that were represented, and you were able to hear the kind of problems that they had," Petit said. "All of them are unique, and it was a really good way to foresee what kind of problems we might have in the future in administering our own law review."

BY DARREN WILCOX

Texas Tech University's Black Law Student Association Hosts Regional Conference



Ganesha Martin '04, Assistant Dean Terence Cook (Tech Law '98), Kimberly Houston '04



Tech Law student and BLSA President Shawn Smith

TEXAS TECH UNIVERSITY'S Black Law Student Association (BLSA) took the lead in the Rocky Mountain region of the national BLSA organization by hosting its annual conference February 19-22, 2004. Students from eleven schools, representing three states in the Rocky Mountain region, attended to compete and contribute to a conference with an important message.

The national BLSA theme this year was "Redefining the Struggle: Fifty Years Since Brown v. Board of Education." Members of Texas Tech's BLSA incorporated the theme into planning for the event-filled weekend. Students competed in the regional rounds of the Frederick Douglass Moot Court and the Thurgood Marshall Mock Trial competitions. The winners of those competitions went on to compete at the national BLSA conference in Boston this past March.

The Texas Tech BLSA coordinated seminars and speakers that centered around the national theme. Workshops spurred conversation on such topics as "legal ethics," "reparations," "dressing for success," and "job opportunities beyond the OCI process." Although planning and coordination was a lot of hard work, Texas Tech BLSA President Shawn Smith said the event "reinvigorated the Texas Tech chapter and reconnected us at the regional and national levels." Members were honored to hear Texas Supreme Court Justice Dale Wainwright speak at an awards banquet about the national theme, "Redefining the Struggle." Oliver Mitchell, Chairman of the Dealer Policy Board at Ford

Motor Company, spoke to members about "multiculturalism in the legal profession."

The regional conference proved beneficial for the community as well. While the planning and coordination for the mock trial and moot court competitions helped students establish relationships with local alumni, Texas Tech BLSA members also organized a community service project for conference participants. The students chose to register community voters and to provide information about the candidates for the upcoming presidential election. The organization is non-partisan; however, members thought it was important to encourage citizens to vote and to provide them the means to do so.

Hosting the regional conference was an excellent opportunity for Texas Tech BLSA members to showcase their ability to plan and execute such a successful event. Participants from other schools recognized the Texas Tech BLSA members' hard work in ensuring the success of this year's regional conference. "People noticed that we are hard workers, and we received a lot of comments about how well-planned the conference was" said Texas Tech BLSA Parliamentarian Neiosha Mark. As decided at the organization's plenary session, four members of Texas Tech's BLSA will make up part of the sixteen-member regional board for the upcoming year. Shawn Smith was selected as Regional Director, Justin Lawrence as Treasurer, Neiosha Mark as Communications Director, and Yolonda Sewell as Convention Coordinator.

BY KELLY BERRY

The national BLSA theme this year was "Redefining the Struggle: Fifty Years Since Brown v. Board of Education." Members of Texas Tech's BLSA incorporated the theme into planning for the event-filled weekend.

Tech Law student recognized nationally by Who's Who



Photo by Jennifer Doak

EACH YEAR THE PUBLISHER of **DesNoyer and Who's Who: American Law Students**, invites the 182 ABA-

accredited Law Schools to nominate a student to compete for the title of Outstanding Law Student of the Year in America. This year, for the first time, the Texas Tech University School of Law had a student win this prestigious national award.

Mark DesNoyer, a 2004 graduate who is a Marine Corps veteran and is married with two children, was selected.

"I'm very honored, very happy, that I could bring this award home to Texas Tech," DesNoyer said. "Dean Huffman and the faculty at Tech really provide an environment for growth and learning ... there is no where else I would have rather attended law school."

The selection criteria for the award are: Service to the Law School Community; Service to the Larger Community; Outstanding Contribution to the Study of Law; Pursuit of a Law Career in spite of Prohibiting Factors; and, Factors Distinguishing this Student from others that are Worthy of Recognition.

To that end, DesNoyer was on the Executive Boards of the Board of Barristers and the Texas Tech Journal of Texas Administrative Law. Among the leadership positions he held were Chapter Justice of the Phi Alpha Delta legal fraternity, president of the International Law Students Association, president of the Federalist Society for Law & Public Policy, and president of the Non-Traditional Student Association.

DesNoyer said 20 years in the Marine Corps and a loving family helped him though his three years at Tech Law. "I owe a great debt to my wife, Catherine, and my children Joey and Hope," DesNoyer said. "Without their support, I could never have accomplished so much."

Despite a lengthy resume and a shelf of awards, DesNoyer said he was really proud of someone else, "While I was in law

school, I also found time to attend scouting with my son [Joseph], he has really stuck with it and just became a Boy Scout this May."

In a recent letter to Tech Law alumni, Dean Walter Huffman detailed the award and DesNoyer's journey from 17 year-old Marine to his accomplishments in law school. Huffman wrote, "We are very proud of Mark DesNoyer and his record as a law student, and we look forward to hearing of his even greater accomplishments in the legal profession."

DesNoyer, on the other hand, remained modest. "I'm just the tip of the iceberg," DesNoyer said. "I believe just about any Tech Law student would be able to do the same thing. This school has fantastic students and alumni ... I come from a long line of Red Raider Achievement."

BY BRIAN ROGERS



Calvin Lewis Named Outstanding Professor for 2003-2004

Professor Calvin Lewis and his wife, MiSook, Dean Walter Huffman and his wife, Anne and Phi Alpha Delta Chapter Justice Mark DesNoyer with his wife, Catherine, and daughter, Hope, at the annual Honors and Awards Ceremony. Lewis was elected Outstanding Professor by Phi Alpha Delta. Lewis is the first professor to win the award during his first year of teaching at the Law School. He is a retired U.S. Army Colonel and a former Military Judge.

Texas Tech School of Law Law Partners



Above: Dean Huffman and Molly Hall, Co-Social and Past President 2003-2004

Below: Law Partners Hamburger Cook-out, Spring 2004



The purpose of Law Partners is to foster friendship and support among members through social activities and contribute to the Texas Tech University School of Law as well as the Lubbock community.

OFFICERS:

President	Becky Lloyd
Vice President & Treasurer	Michele Craven
Co-Social	Alicia Wood
Co-Social	Molly Hall
Historian	Jill Beadle
Advisor	Anne Huffman

ICLASSNOTESI

1970

MICHAEL B. MCKINLEY is a shareholder in the firm of Stubbeman, McRae, Sealy, Laughlin & Browder in Phoenix, Arizona and has practiced in that city for 25 years. McKinley was inducted as a Fellow in the American College of Trial Lawyers in the spring of 2004.

JOHN L. SHEPERD has retired from the practice of law and resides in Galveston, Texas.

1973

LEE C. SCHWEMER has been the supervisor of the I.R.S. Estate and Gift Tax Group for North Texas since 1995. He also serves on the faculty at UT Arlington teaching various law courses and as an Adjunct Professor at Texas Wesleyan School of Law since 1998. He is grandfather to Addison, born July 2, 2003.

1976

Dallas attorney **BARKLEY T. MILLER** was recently selected as a panelist on the District 6-A Grievance Committee of the State Bar of Texas. He and his wife, Glenda, are the proud parents of their second little girl, Sophie.

H. GRADY TERRILL'S daughter, Halley, is Miss Lubbock U.S.A. Halley competed in the Miss Texas Pageant in Laredo on June 27, on NBC.

1977

VICKI S. GANSKE is Senior Assistant City Attorney with the City of Fort Worth effective January 20, 2004.

COLONEL HARLAN M. (MIKE) HEFFELFINGER has retired from the Army Judge Advocate General's Corp and lives on 26 acres in Bedford County Virginia with his wife Jackie, daughters Amanda and Ashley, and an assortment of animals. Mike is a Magistrate for Bedford County.

1978

JOHN M. WALSH serves as President of The Industrial Group Real Estate Services. He lives in Dallas with Dawna, his wife of 33 years. John and Dawna have 4 children: 26 year-old Grant, 22 year-old Whitney, 19 year-old Preston and 15 year-old Austin.

GENE M. WILLIAMS has joined the Houston office of Shook, Hardy & Bacon LLP. as a Partner in its Pharmaceutical and Medical Device Litigation Division. Gene is currently the Chairman of the Texas Board of Legal Specialization Committee for Civil Trial Law. He is listed in The Best Lawyers in America and was named one of the Texas "Super Lawyers" in 2003.

1979

CYNTHIA BROWN has started a new job with the Texas Worker's Compensation Commission as a hearing officer in their Fort Worth office.

1980

RANDY LEAVITT, a resident of Austin, Texas, recently accepted a position as First Assistant with the Travis County Attorney's Office.

1981

GERALD G. DIXON and **A. BRENT BAILEY** ('92) formed the law firm of Dixon, Scholl & Bailey, P.A. in Albuquerque, NM.

1982

JOHN W. BRASHER and **MARY COPELAND BRASHER** ('89) completed the adoption of Morgan Marie Brasher in April 2004. Morgan was born January 2003, and she joins brother, Travis, age 8.

TERRY L. GRANTHAM, of West Texas



Title Company in Lubbock, was installed on June 5 as the 2004-2005 president of the Texas Land Title Association. Terry is also a partner in the Lubbock law firm of Craig, Terrell, Hale & Grantham, LLP.

ROBERT L. JONES has just begun his fifth year of a 14-year term as a United States Bankruptcy judge for the Northern District of Texas. His court serves the Lubbock, Abilene, Amarillo, and San Angelo divisions.

JAMES S. KENNEDY, an Arlington attorney with the firm Kennedy & Kennedy, Attorneys at Law, has recently relocated his office due to expansion.

MARK D. WHITE has been appointed to serve a second term as the Chair of the Texas Commission for Lawyer Discipline. The commission is the client body of the State Bar of Texas in lawyer disciplinary and disability proceedings. Mark is a shareholder in the Amarillo firm of Sprouse Shrader Smith, P.C. where he has a general litigation practice.



GENE M. WILLIAMS



1985

JOE LUCE will be celebrating 20 yrs with Boyd-Veigel, P.C. in McKinney in November 2004, handling civil litigation specializing in wrongful death, personal injury, insurance, construction, collections, and business litigation. Joe & his wife, Jill, live in Fairview with their 4 kids, Jake, Jackson, Justice, & Jessica.

EDDIE MEADERS has gone to part-time law practice so he can concentrate on lecturing at the University of North Texas in the political science department. He also serves as both a graduate and undergraduate academic advisor in that department.

1987

LISA CURNUTT currently practices real estate law, probate law, and estate planning in her own law office, Curnutt Law Firm, P.C. in Abilene, Texas.

JEFFREY GAMSO, a Toledo defense lawyer and ACLU volunteer attorney, has been appointed to be the Legal Director of the American Civil Liberties Union of Ohio. Law and Politics Magazine recently selected Mr. Gamso as an Ohio "SuperLawyer" of 2004.

2003 Texas Super Lawyer in commercial litigation in Texas Monthly's November issue.

JEFFERY D. TATUM is an Assistant Professor of Sociology at Calvin College in Grand Rapids, Michigan, where he specializes in the study of law and social change. He and his wife, Jill, live in Grand Rapids and are raising three boys: Atticus, 16; Ethan, 14; and Keeton, 11.

1988

GREG FRASER has a solo practice in Lindale, Texas, outside of Tyler.

CHARLES GRIESEL served as a Briefing Attorney for Chief Justice Thomas Phillips of the Texas Supreme Court from 1988-1989 and then as the Rules Staff Attorney since 2000. Recently he was named as Deputy House Parliamentarian and Special Counsel to the Texas House of Representatives.

MELODY MCDONALD WILKINSON was named Delta Zeta Sorority's Woman of the Year.

CANDACE NORRIS relocated to Arizona. She has retired and devotes her time to professional quilting.

DAVID P. POOLE is Assistant General Counsel for TXU Corporation effective May 1, 2004.

HENRY L. HARDWICK was elected partner at Thompson & Knight, L.L.P. He is a member of the firm's corporate reorganization and creditors' rights practice group in Houston, and focuses his practice primarily on representing secured lenders, creditors committees, trustees in bankruptcy cases and related litigation in all types of bankruptcy proceedings. His expertise also extends to business and commercial law.

LIN HUGHES, who chairs the trial section at McGinnis Lockridge & Kilgore, L.L.P. was named a



He moved from the Dallas office of Hunton & Williams, L.L.P. where he was a Managing Partner.

1989

MARY COPELAND BRASHER and **JOHN W. BRASHER** ('82) completed the adoption of Morgan Marie Brasher in April 2004. Morgan was born January 2003, and she joins brother, Travis, age 8.

In January 2004, **ELIZABETH CAREY** became a shareholder with the Houston firm of Spain, Hastings & Ward.

FORREST B. MCCRAY, an Abilene attorney, has formed the new law firm Wheeler & McCray, in Abilene, Texas.

MITCH MOSS recently joined the litigation section of the El Paso firm of Scott & Hulse.

JACK SIGMON practices commercial and consumer litigation and is in his eighth year with Sigman & Sigman in Austin, Texas.

1990

JAMES K. DYER, JR. has been named partner at Sacramento, California's largest law firm, Downey Brand LLP. His practice focuses on corporate and banking law. James is chair of the firm's corporate practice group and an appointed member of the Corporations Committee of the Business Law Section of the State Bar of California. He maintains law practices in both the Sacramento and Stockton offices.

PAM SIGMAN is board certified in juvenile law. She is also in her eighth year with Sigman & Sigman.

SCOTT SUMMY was named one of D Magazine's Best Lawyers Under 40 in Dallas.

1991

KARL KOEN, of Dallas, began the Grau Koen Law Firm in 2003. The firm specializes in trial advocacy and litigation.



"My goal is to provide the highest quality appellate representation to every client, every day."

A handwritten signature in white ink that reads 'E. Lee Parsley'.

... thorough research

... meticulous drafting

... persuasive advocacy

Representing clients in the Supreme Court of Texas, all Texas Courts of Appeals, and all Federal Courts of Appeals.

E. LEE PARSLEY, P.C.

100 Congress Avenue
Suite 210

Austin, Texas 78701

512.481.8800

512.481.8806 fax

lee@eleeparsley.com

Lee Parsley is Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization

JON SHELBURNE was named Professor of the Year for 2003-2004 at Roger Williams University School of Law where he is a Trial Advocacy Professor. He was recalled to active duty with the U.S. Marine Corps and was scheduled for deployment to Iraq in mid-June.

1992

A. BRENT BAILEY and Gerald G. Dixon ('81) formed the law firm of Dixon, Scholl & Bailey, P.A. in Albuquerque, NM.

1993

JAMIE D. BECK has been elected President of the Denton County Criminal Defense Bar.

JOE HEFLIN was recently named "Man of The Year" by the Crosbyton Chamber of Commerce.

1994

CAMERON REYNOLDS has become a partner in the firm of James & Reynolds in Bryan-College Station. He specializes in criminal law.

PAUL K. STAFFORD'S second child, Kendall Mae, was born April 5, 2004. She weighed 8 lbs., 3 oz. and was 19" tall. Mother, daughter, and big sister, Camryn, are doing well. Paul is still recovering.

1995

CLARK S. BUTLER is currently an associate at the Dallas law firm of Miller & McCarthy, P.C. The firm litigates personal injury cases, construction cases, appellate cases, and handles insurance issues.

In January 2004, **COREY L. CHEEK** became a partner in the Dallas law firm of Gwinn &

Roby. He specializes in defending doctors, hospitals, and other insureds at trial.

About to celebrate their fourth year of marriage, **GREGORY GOWAN** and his wife, Crystal, celebrated the birth of their first child, McKenzie Hope, on September 4, 2003. Gregory is a partner at The Watts Law Firm in Corpus Christi, Texas.

1996

In February 2004, **ALAN J. BOJORQUEZ** founded City Hall Solutions, LLC, a municipal consulting firm.

SHEILA KIDWELL is Board Certified by the Texas Board of Legal Specialization Tax and Estate Planning and Probate. She is with Crenshaw Dupree & Milam in Lubbock.

JOHN MATNEY has joined the Dallas firm of Gardere, Wynne, Sewell, LLP and works in their construction litigation group.

1997

JEFF W. ACTKINSON of Farwell, Texas has been appointed the County Attorney of Parmer County. Jeff has also served as a partner in the firm of Aldridge, Aycok, Actkinson & Rutter since 2001.

Lubbock attorney **ARTIE AGUILAR** celebrated the birth of a daughter, Kendall, March 29, 2003.

W. MARK BENNETT was elected partner at Thompson & Knight, L.L.P. Mark is a member of the Firm's trial practice group in Dallas, and has a litigation practice with an emphasis in products liability and commercial litigation. His practice also includes the representation and counseling of clients in business transactions, oil and gas transactions, corporate bankruptcy exposure, and credit loss avoidance.

MICAH C. HADEN is in the process of constructing a new office building in Corsicana, Texas, which is scheduled to open summer 2004.

CHERYL S. LAY is a partner in the law firm

SPLAWN & SIMPSON

25th Anniversary

Civil Trial Practice
Plaintiff and Defendant
Negligence, Product Liability, and Insurance Law
Mediation

JOHN SIMPSON
THOMAS E. PITTS
907 Texas Avenue
Lubbock, Texas
806-765-8048

of Leslie & Lay, P.C. She was recently reappointed as Associate Municipal Court Judge in El Paso.

JEANNE MORALES specializes in bankruptcy law. She is a reservist in the U.S. Coast Guard and has been recalled twice since 9-11. Jeanne helped to establish a Sea Cadets Chapter in Midland-Odessa and is active in both the Boy Scouts and Girl Scouts of America. She also hosts "By the Back Fence", a weekly radio program that covers consumer, finance, and money issues.

1998

NATHAN M. BLOCK is an associate in the Air and Waste Practice Group of Lloyd Gosselink. Before that, he was Regulatory Specialist/Project Manager with TRC Environmental Corporation in Austin. Nathan has also worked as a staff attorney in the Litigation Division of the Texas Natural Resource Conservation Commission.

WESLEY T.D. MYERS married Stacy Conahan in 2001. He is with Blaies & Hightower, L.L.P. in Fort Worth where he does civil litigation and appellate work. Wesley serves as President of the Fort Worth-Tarrant County Young Lawyers' Association.

DAPHNE SESSION (formerly Daphne Castleberry) is working at the Houston County District Attorney's Office in Crockett, Texas.

1999

JENNIFER HODGKINS has served as the Texas Supreme Court's Mandamus Attorney since 2003.

MAJOR MICHAEL R. HOLLEY has received his LL.M. in Military Law from The Judge Advocate General's School, U.S. Army. Michael was selected to join the Criminal Law faculty at the JAG school, but subsequently was hand-picked to serve as Lead Prosecutor for the Abu Ghraib prisoner abuse cases in Baghdad, Iraq. [Editor's Note: We intend to feature Major Holley's experiences in Iraq in a future issue of *The Texas Tech Lawyer*].

LEE A. KIRKSEY lives in Hobbs, New Mexico, where she and her husband Patrick have a son, Nathaniel Thomas, born September 27, 2003.

AUSTIN D. SMITHERS is currently working for Baker Botts in Austin, Texas.

2000

DUSTY J. STOCKARD of Amarillo, Texas, recently made partner at the law firm of Courtney, Pountiss, Brian & Bailey, LLP. He and his wife, Laurie, welcomed twin daughters to their family.

JEFF WALLER resides in Pago Pago, American Samoa. He recently purchased a 46' Ketch-style sailing yacht. Jeff and his family will sail the 6,000 miles to the U.S. when they leave American Samoa in a few years.

2001

CARMEN ARCE (TILITZKY) is living in Hutto, Texas, working for the Miami-based law firm of Montiel, Davis & Woodward, P.A. She practices exclusively in the area of immigration law and plans to open a branch office for her firm in the Round Rock area within the year.

ERRIN MARTIN is a Career law clerk to Senior U.S. District Judge Paul N. Brown.

MAXWELL C. PECK III started his own law practice in October 2003.

In November of 2003, **MIKE RITTENBERRY** of Dallas became an associate with John H. Carney & Associates.

KAREN L. STANA is an associate at Selman, Munson & Lerner, P.C. in Austin and married fellow alumnus **JOE R. BASHAM** on February 21, 2004. The couple plans on making Austin their home.

CHRISTOPHER J. WHITE was named one of D Magazine's Best Lawyers Under 40 in Dallas.

JEREMIAH D. WILLIAMS lives in Austin, Texas, and had a banner year in 2003. He

Would you like to earn higher interest rates & income on your investments AND receive substantial tax savings now?

Consider these estate options that could benefit both your family and Texas Tech University School of Law!

Charitable Remainder Unitrust Gift Annuity Deferred Gift Annuity

For more information, contact Russ Gibbs, CFRE
(806)742-3990 ext. 356 or russ.gibbs@ttu.edu



opened his own practice and welcomed his first child, a daughter named Grace.

2002

JOE R. BASHAM lives in Austin with his wife and fellow Texas Tech Law grad, **KAREN L. STANA** (2001). The two were married February 21, 2004. Joe is an associate at Allensworth & Porter, LLP.

KENNETH GREEN has joined the Houston law firm of Johnson, Spalding, Doyle, West & Trent, L.L.P. He is practicing in the areas of health care liability litigation, construction litigation, and product liability.

JAMES HERBRICH lives in Victoria, Texas and works with the Victoria County District Attorney.

BRAD MCCALL is a Litigation Associate in the Amarillo office of Mullin, Hoard & Brown, L.L.P. He and wife, Jordan, welcomed a son, Eli Jolly McCall, on June 10, 2003.

SYLVIA MORA is a general practice attorney in San Antonio, Texas, at the Law Offices of Sylvia Mora.

After working for a year and a half with the Dallas firm of Burford & Ryburn, **QUINTON G. PELLEY** has moved to the Pelley Law Office,

LL.P. in Sherman and Plano, Texas. There he practices bankruptcy, family, and personal injury law with his father and uncle.

2003

KARA ALTENBAUMER-PRICE has been serving as a briefing attorney for both Justices Craig Enoch and Scott Brister of the Texas Supreme Court.

JULIE COATS is working for the Arizona Center for Disability Law in Tucson, effective June 7, 2004.

DYLAN O. DRUMMOND serves as a briefing attorney for Justice Nathan Hecht of the Texas Supreme Court.

JUSTIN K. FERGUSON earned the top score on the July 2003 Bar Exam. Justin is with Baker Botts, L.L.P. in Dallas.

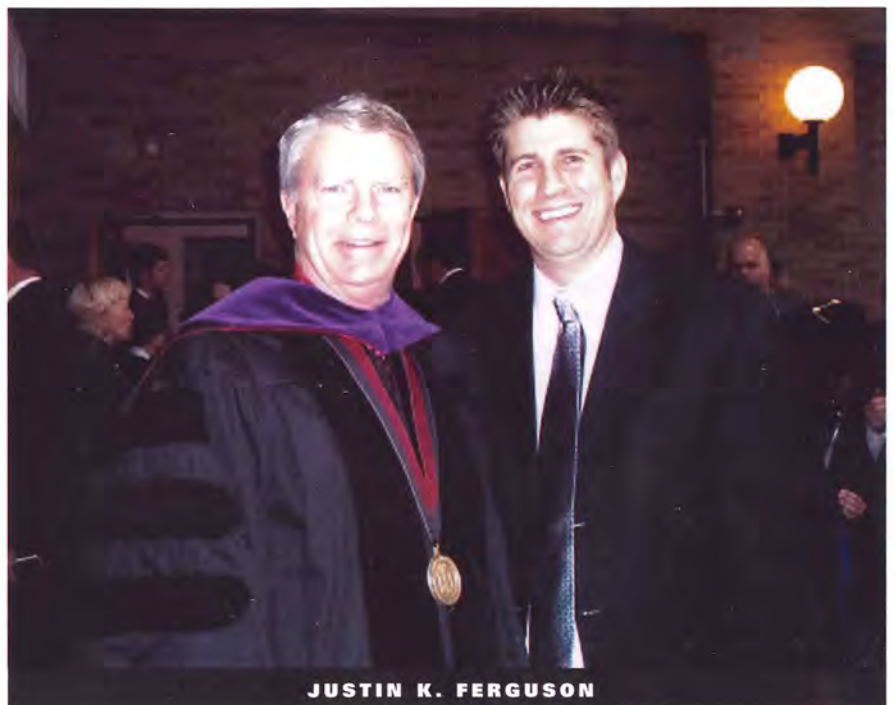
MELINDA F. RAHLFS of Amarillo married current third year Texas Tech School of Law student Jason Rahlfs on May 15, 2004. When Jason graduates in December, the two will make Amarillo their home.

MARY SCAROLA is currently with the Lubbock firm of Mitchell Williams & Associates.

JERRY W. TIDWELL, JR. accepted a position as Assistant District Attorney for Collin County, Texas effective April 20, 2004.

BLAKE THOMPSON is an associate with Dunn, Nutter & Morgan in Texarkana, Arkansas. Blake was recently admitted to the Arkansas Bar.

COMPILED BY CASEY CARSON
AND CHRIS RUCKER



JUSTIN K. FERGUSON

ALUMNIAFFAIR



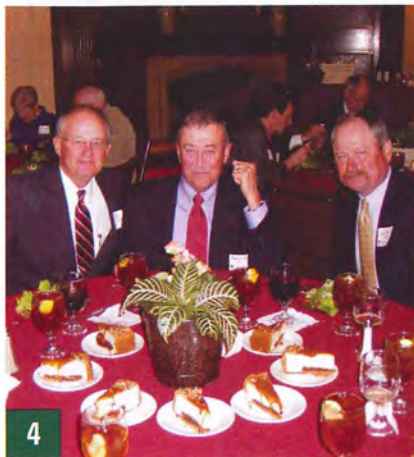
1



2



3



4



5

Alumni & Friends of Tech Law came together for the Spring 2004 Alumni Weekend, May 2-3. Events included a dinner at the Merket Alumni Center and the First Annual Law Day Golf Tournament.

1. Dean Walt Huffman '77
2. Huffman, Sandra Thomas, Sol Thomas '82
3. Jim Killion '78, Ray Rike '79
4. John Simpson '74, Mackey Hancock '74, Tom Pitts '83
5. Skip Hulett '83, Chris Robison 3L student, John Simpson '74, Mackey Hancock '74
6. Todd Keagle '04, Assoc. Dean Brian Shannon, Mark Griffin '79, Jim Killion '78
7. Closest to the Pin Winner, Ray Rike '79, Assoc. Dean Richard Rosen
8. Raymond Shackelford '01, Chris Norris '01, Matt Hawkins, Matt Hurt '01
9. Larry Massingill, Dean Walt Huffman '77, Lee Parsley '89, Tom Geyer '04, Robert Jones '82



6



7



8



9

ALUMNIAFFAIR



The Offices of Alumni Relations and Career Services partnered to host a reception for Austin-area Alumni, students and the Fall 2004 entering class. The reception was held January 30, at the Austin Club.

The Order of the Coif Reception was held April 14, at the Lubbock Club. Judge Sam Medina '76 was elected as the 2004 Honorary Coif member.

1. Sam Medina '76, Velma Medina, Dean Walt Huffman '77
2. Professor Jorge Ramirez, Assist. Dean Terence Cook '98
3. Leonard Schilling '04, Jeremy Overbey '04
4. Assoc. Dean Brian Shannon, James Walk '04
5. '04 Grads: Misty Boyer, Ashley Ellis, Sarah Dobson, Lynette Wilson, Steven Anderson
6. Professor James Eissinger, Ashley Ellis '04



Wade Shelton '81 and Kim Shelton hosted a Tech Law gathering on June 3, at Crabby Jacks in San Antonio.



The Texas Tech University School of Law reception at the State Bar of Texas Annual Meeting was held on June 24 at the Marriott Rivercenter in San Antonio.



ALUMNIAFFAIR



1



2



3



4

Mitch Toups '82 and Julie Toups hosted a Tech Law reception for Beaumont area Alumni on July 22, at their home.

1. Will Petit 3L student, Gerald Eddins '77, James Sanderson '70, M.C. Carrington '82
2. Dean Walt Huffman '77, Julie Toups, Mitch Toups '82
3. Jason Byrd '02, Phillip Brent '01, Justin Sanderson '01
4. Former Dean Frank Newton, M.C. Carrington '82, Matt Orwig '84

Doug Atnipp, member of the Coronado Club, secured the location for a Houston area Alumni reception on July 23.

1. Barbara Runge '74, Betsy Striegler, Tab Bingamon '90
2. Todd Oncken '98, DeDe Kirby '03
3. Gary Ellison '78, Nancy Ellison, Rusty Howard, Barbara Runge '74
4. Robert Hancock '02, Lane DeYoung '97, Doug Atnipp '85
5. Barbara Runge '74, Shahara Wright '98



1



2



3



4



5



1

Eric Brittain '02, secured the location for an El Paso area Alumni reception on July 15 at the El Paso Club.

1. David Nichols '80, Javier Espinoza '02, Dean Walt Huffman '77, Michael Graham '02
2. Javier Espinoza '02, C.B. Burns '90
3. Danny Razo '03, Justin Underwood '01, Stephanie Newell '01
4. David Nichols '80, Robert Feuille '80



2



3



4

To be part of Alumni Affair, send your images to:
Casey Carson, Texas Tech University School of Law, 1802 Hartford Ave. Lubbock, TX 79409-0004 or casey.carson@ttu.edu

Can Lanier Rise to the Challenge

HOUSTON ATTORNEY FEATURED IN THE NEXT ISSUE OF THE TEXAS TECH LAWYER

HE SLEEPS FOUR HOURS A NIGHT. He has a degree in biblical languages, specifically Hebrew and Greek. He makes fresh doughnuts for his children on special occasions. He hosts a Sunday school class that is broadcast over the radio in Houston. He has an annual Christmas party that last year hosted 7,000 people. Oh, and don't forget, he may also be the best trial lawyer in America.

W. Mark Lanier is planning on picking up the gauntlet that was thrown down in front of him earlier this year in an *American Lawyer* article. The article, titled, "Lone Star Rising: Is Mark Lanier America's Next Great Trial Lawyer?" raises the question of whether this multi-million dollar winning plaintiff's attorney can rise above his Texas fame and perform for juries anywhere in the country.

"Well," Lanier draws in response, "We spent last week in New York picking out an office." Lanier said the article's author, Nathan Koppel, has been pushing him to become "Mr. National Lawyer" for some time, and Lanier said he's going to give it a try.

Lanier graduated from Tech Law in 1984, and now serves on the law school foundation board. He founded The Lanier Law Firm in 1990 where he is the firm's lead litigation counsel. In that role, he negotiated hundreds of millions of dollars in settlement in cases around the country, including a \$115 million verdict for 21 asbestos victims in February 1998, which was a record setting asbestos verdict in the United States. His \$500 million win for a small oil company in a 1993 business fraud case was also a record setting verdict.

Look for all of the details in the cover story of the next issue of the *Texas Tech Lawyer*. Details about the New York office. Details about Houston's most famous Christmas party. And details about the man that may be the best trial lawyer in America, Tech Law Alumnus Mark Lanier. **TTL**



- Named by the *American Lawyer* as one of the top 45 attorneys in the nation under the age of 45.
- Named as a "2003 Texas Super Lawyer" for being chosen by his peers as being among the best in his profession.
- Selected in 2002 by *The Texas Lawyer* as one of the top 5 "Go To" personal injury plaintiff attorneys in the State of Texas.
- Named by *The National Law Journal* as one of the top ten trial attorneys in the United States.
- www.lanierlawfirm.com

By **Brian Rogers**

The Official Texas Tech University School of Law Class Ring



Our Official Ring is the common bond of present and future graduates. The design will not change. Our cherished traditions of loyalty and trust will continue for years to come.



For more information about the Official Ring, call
1-866-BALFOUR (866-225-3687)
(MST0016-51/TX32708)



TEXAS TECH
LAWYER
The Alumni Magazine of the Texas Tech University School of Law

Texas Tech University
Law School Foundation
1802 Hartford Ave.
Lubbock, TX 79409-0004